

IN RE: PETITION FOR SPECIAL HEARING  
N/S Maiden Choice Lane, 180 ft.  
W of Brian Road  
1219 Maiden Choice Lane  
13th Election District  
1st Councilmanic District  
John M. Cardinale, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-25-SPH

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1219 Maiden Choice Lane in Catonsville. The Petition is filed by John M. Cardinale and Katherine L. Cardinale, his wife, property owners. Special Hearing relief is requested to approve a nonconforming use for a four apartment structure on the subject property, in a D.R.5.5 zone. The subject property is more particularly shown on Petitioners' Exhibit No. 1A, the site plan.

Appearing at the requisite public hearing held for this case was John M. Cardinale and Katherine L. Cardinale, Petitioners. Appearing on behalf of the Petitioners was Fred Granger. The Petitioners were represented by Francis X. Borgerding, Jr., Esquire. Eleanor VanDevender and Joseph R. Taafe, Sr. appeared as interested persons/Protestants.

Testimony and evidence presented was that the subject site is a rectangularly shaped lot approximately .215 acres in area. The site is located on Maiden Choice Lane in the Catonsville community. The subject property is zoned D.R.5.5. The site is improved with an existing 2-1/2 story framed dwelling which contains four apartments.

As noted above, the matter comes before me as a Petition for Special Hearing seeking designation of the use of the property of four apartments as nonconforming. Nonconforming uses are defined in Section 101 of the Baltimore County Zoning Regulations (BCZR) and are regulated in Section

9/11/97  
By: [Signature]  
DMS

104 thereof. A nonconforming use is a use that does not conform to a present use regulation for the zone in which it is located. In essence a nonconforming use is a use which predates the adoption of the zoning ordinance which prohibits the use. The nonconforming use designation is utilized to grandfather an existing illegal use. The Petitioner must demonstrate that the use existed prior to the date of the prohibiting statute and that the use has not changed or been abandoned since the adoption of the ordinance.

In this case, the Petitioners called Fred Granger to testify, a former property owner. Mr. Granger described the structure in some detail and identified floor plans which describe the interior of the site. He testified that his parents owned the property from 1951 until 1989, although his knowledge of the property goes back further in time. During the entire period of their ownership, he stated that the property was used as four apartments. One apartment was contained on the first floor, two on the second floor and the fourth apartment on the third floor. After the death of his father in 1989, Mr. Granger maintained the property as Executor of his father's estate. The property continued to be utilized as four apartments until it was subsequently sold by the Estate to the Petitioners in 1994.

Records were also produced which showed that the property was listed for sale to the Petitioners as a four apartment building. Photographs submitted also showed that each apartment contains its own utility meter and the photographs depict the internal layout and separate entrances to the apartment units. Lastly, Mr. Granger testified that he had been familiar with the property prior to his parents acquisition of same in that he was born and raised in this area. He testified that the house was constructed in the 1930s and has always been used as a four apartment unit.

Mr. Cardinale testified that the four apartments have continued to be maintained since his acquisition in 1994. He noted that the building was advertised and sold to him as a four apartment unit and that the appraisal and mortgage he obtained were based upon such use. He noted that each apartment contained its own separate entrance.

As to the interested persons/Protestants who appeared, they did not offer any testimony to dispute the Petitioners' assertions. They did, however, voice certain complaints about the storage of heavy construction equipment on the site and heavy volume of traffic and parking congestion.

Based upon the testimony and evidence presented, it is clear that the Petition for Special Hearing should be granted. The testimony was convincing and uncontradicted that the property has been used in this fashion since before 1945, the date of the adoption of the first zoning regulations in Baltimore County. Moreover, the Petitioner's testimony was persuasive that the use has been continuous and not interrupted. There has been no material change or alteration of said use.

As to the Protestants' concerns, the Petitioner should be aware that the site must continue to be used for residential purposes. It cannot be used for commercial or business purposes or to serve as construction equipment storage yard or a contractor's equipment storage yard. The Petitioner indicated that he understood this limitation on the use of the property. As to parking, same cannot be regulated other than through the normal parking laws and police enforcement thereof.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11<sup>th</sup> day of September, 1995 that, pursuant to the Petition for


ORDER RECEIVED FOR FILING

Date

By

Special Hearing, approval to allow a four apartment structure, in a D.R.5.5 zone, on the subject property, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 6, 1995

Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204

RE: Petition for Special Hearing  
John Martin Cardinale, et ux, Petitioners  
Case No. 96-25-SPH  
Property: 1219 Maiden Choice Lane

Dear Mr. Borgerding: . .

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. and Mrs. John M. Cardinale, 2525 West Chester Ave., Ellicott City  
cc: Ms. Eleanor VanDevender, P.O. Box 18262, Balto., Md. 21237  
cc: Mr. Joseph R. Taafe, Sr., 3058 Parktowne Rd., Balto.Md. 21234





# Petition for Special Hearing

96-25-SPH  
to the Zoning Commissioner of Baltimore County

for the property located at 1219 Maiden Choice Lane  
Catonsville, MD 21228

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for a four apartment structure in a D.R. 5.5 zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.

(Type or Print Name)

Signature

409 Washington Ave., Ste. 600 296-6820

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

John Martin Cardinale

(Type or Print Name)

Signature

Katherine Lynn Cardinale

(Type or Print Name)

Signature

2515 West Chester Avenue

Address

Phone No.

Ellicott City, MD 21043

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.

Name 409 Washington Ave., Ste. 600

Towson, MD 21204

296-6820

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_



Zoning Administration

Development Management

26

**John L. Schneider, P.E.**

**ENGINEERING & CONSTRUCTION CONSULTANT**

100 North Rolling Road  
Catonsville, Maryland 21228  
(410) 744-1945

96-25 SRH

Description to accompany  
request for Non-conforming use  
1219 Maiden Choice Lane  
13 th District, Baltimore Co. Md.

**Zoning Description**

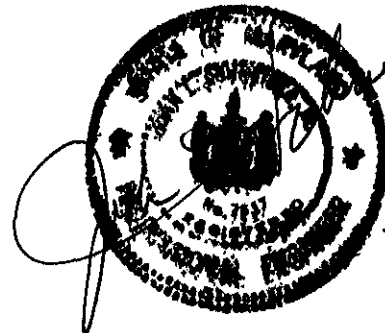
Beginning at a point on the north side of Maiden Choice Lane which is a forty feet wide at the distance of one hundred eighty feet west of the center line of the nearest improved intersecting street Brian Road which is forty feet wide. Thence the following courses and distances:

N 43 25'00"W 52'  
N 46 35'00"E 180'  
S 43 25'00"E 52'  
S 46 35'00"W 180' to the place of beginning.

**BEING KNOWN AND DESIGNATED AS Lot No. 9, Plat No. 14 of Leads, a development by E. A. Kelbaugh, said plat being recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 61. The improvements thereon being known as 1219 Maiden Choice Lane.**

**SAVING AND EXCEPTING out of the above described lot that parcel of land which by deed dated May 31, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1173, folio 66, was granted and conveyed by P. August Grill, et al, to Emory A. Kelbaugh and wife.**

**Note: See attached Location Survey and Record Plat**



STIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003653

96-25-SPH

DATE 21 July 95 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED  
FROM:

Cardinal

FOR:

SPH

1219 MAIDEN CHAIR

~~100 N. Rolling Rd~~

Item # 28

02A0280512MCHRC

285.00

BA 171624MAY 21-95

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-25-SPH

District 13th

Date of Posting 8/4/95

Posted for: Special Hearing

Petitioner: John M. Cordina, et al.

Location of property: 1219 Maiden Christine

Location of Signs: Facing 710 Way, on property being zoned

Remarks: \_\_\_\_\_

Posted by [Signature] Date of return: 8/12/95  
Signature

Number of Signs: 1



# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Courthouse, 480 W. Main Avenue, Towson, Maryland.

21204 as follows:

Case: 99-25-SPH

(Item 26)

1219 Maiden Choice Lane

N/S Maiden Choice Lane,

180' W of Brian Road

13th Election District

1st Councilmanic

Legal Owner(s):

John - Martin Cardinale

and Katherine Lynn

Cardinale

Hearing: Thursday,

August 24, 1995 at 9:00

a.m. in Rm. 118, Old

Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R. 5.5 zone.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handi-  
capped Accessible; for special ac-  
commodations Please Call  
887-3353.

(2) For information concern-  
ing the File and/or Hearing, Please  
Call 887-3381.  
8/065 Aug. 3.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug. 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Publisher

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-25-SPH (Item 26)  
1219 Maiden Choice Lane  
N/S Maiden Choice Lane, 180' W of Brian Road  
13th Election District - 1st Councilmanic  
Legal Owner(s): John Martin Cardinale and Katherine Lynn Cardinale  
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R.-5.5 zone.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: John and Katherine Cardinale  
Francis X. Borgerding, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTUXENT PUBLISHING COMPANY  
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Francis X. Borgerding, Jr., Esq.  
409 Washington Avenue #600  
Towson MD 21204  
296-6820

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#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-25-SPH (Item 26)  
1219 Maiden Choice Lane  
N/S Maiden Choice Lane, 180' W of Brian Road  
13th Election District - 1st Councilmanic  
Legal Owner(s): John Martin Cardinale and Katherine Lynn Cardinale  
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R.-5.5 zone.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Department of Permits and Licenses



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3610

August 9, 1995

Francis X. Borgerding, Jr., Esquire  
409 Washington Ave., Suite 600  
Towson, Maryland 21204

RE: Item No.: 26  
Case No.: 96-25-SPH  
Petitioner: J. M. Cardinale

Dear Mr. Borgerding:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July .

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: August 7, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for August 7, 1995  
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: JOHN MARTIN CARDINALE & KATHERINE LYNN CARDINALE

LOCATION: N/S MAIDER CHOICE LA., 180' W OF BRIAN RD.  
( 1219 MAIDEN CHOICE LA.)

Item No.: 026

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

7-28-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 026 (CAM)

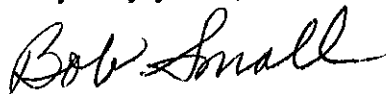
Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/31/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/31/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 17

18

24

25

26

27

LS:sp

LETTY2/DEPRM/TXTSBP

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
1219 Maiden Choice Lane, N/S Maiden Choice \* ZONING COMMISSIONER  
Lane, 180' W of Brian Road, 13th \* OF BALTIMORE COUNTY  
Election District, 1st Councilmanic \*  
John M. and Katherine L. Cardinale \* CASE NO. 96-25-SPH  
Petitioners \*

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11<sup>th</sup> day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esquire, 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

**RECEIVED**

AUG 14 1995

DEPT. OF PERMITS & LICENSES  
OF BALTIMORE COUNTY

# **PETITION PROBLEMS AGENDA OF JULY 31, 1995**

## **#18 --- JJS/MJK**

1. Receipt not given to petitioner; still in folder.

## **#20 --- JRA**

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

## **#23 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

## **#24 --- JLL**

1. Folder says RC-5; petition says RC-4. Which is correct?

## **#25 --- JCM**

1. Notary section is incorrect.

## **#26 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Eleanor VanDevender

P.O. Box 18262, Balto, MD 21227

JOSEPH R. TAFFE, SR.

3050 PARKTOWN RD. BALTO, MD 21234



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

John M. Cardinale

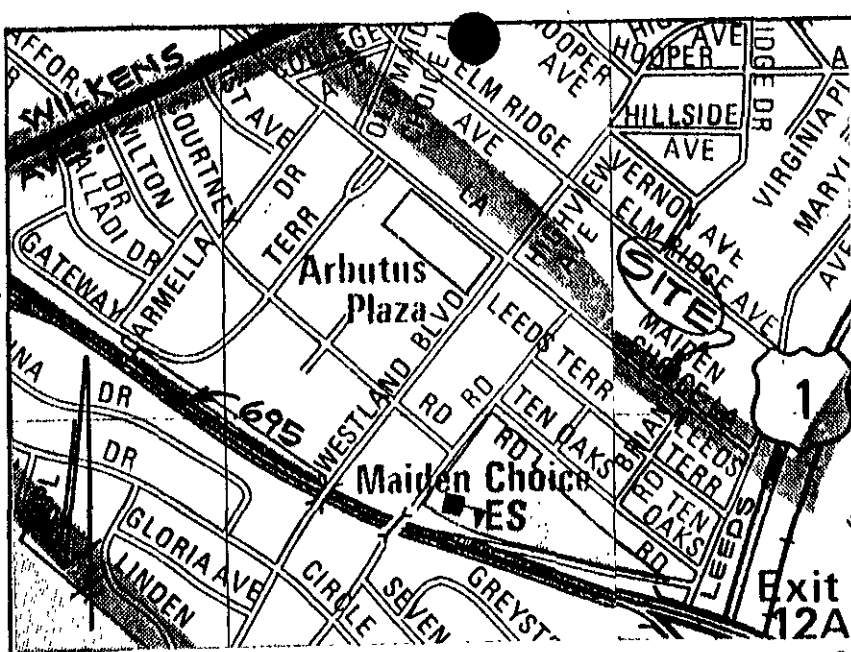
2515 Westchester Ave.

Katherine L. Cardinale

2515 Westchester Ave.

FRED GRANGER

5 ARKLA CT.



VICINITY MAP 1"=1000'

NOTE.

1. Area of Site : 9360 sq.ft. or .215 ac.
2. Existing Zoning : D.R. 5.5
3. Existing Use : 4 Unit Residential
4. Proposed Zoning : Non-Conforming Use
5. Proposed Use : 4 Unit Residential
6. Tax Map Number : 101 Parcel 1323
7. Number of Parking Spaces required :  
As existing : 4
8. Number of Parking Spaces provided : 4

**PETITIONER'S  
EXHIBIT No 1 A**

PROPERTY OWNERS

John Martin and Katherine Lynn Cardinale  
2515 Westchester Avenue  
Ellicott City, Maryland 21043  
Phone : 410-461-4834

ENGINEER  
JOHN L. SCHNEIDER, P.E.  
100 N. ROLLING RD.  
CATONSVILLE, MD. 21228  
410-744-1945

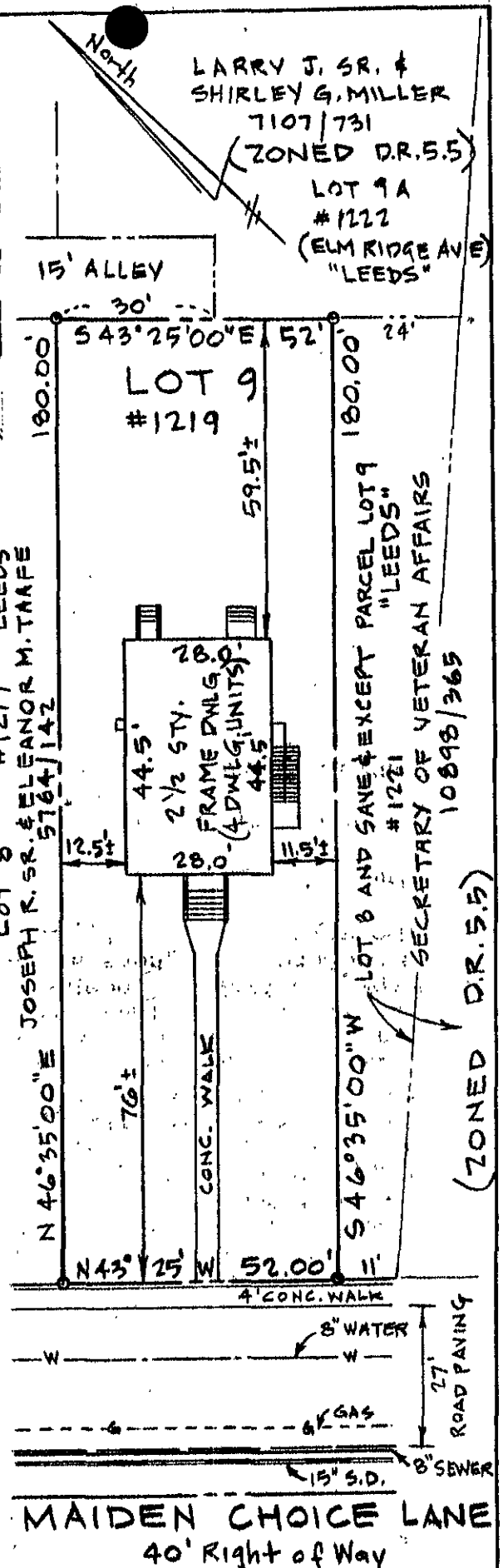
PLAN TO ACCOMPANY REQUEST FOR NON-CONFORMING USE

LOT 9 - PLAT N° 14 - "LEEDS" (RECORDED JUNE 21, 1940)  
C.W.B. JR. - 12-61

13TH ELECTION DISTRICT  
BALTIMORE COUNTY - MD.

SCALE: 1"=30'

DATE: 6/12/95

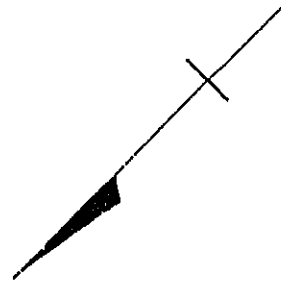


**C.W.B.jr.-12-61**

24.  
PETITIONER'S  
EXHIBIT 2

RESERVED

Note - Indicates Corner Pipe  
Outline of entire Property  
taken from a survey by  
William Whitney in 1934



PLAT No 14

50

# A DEVELOPMENT OF

E. A. KELBAUGH

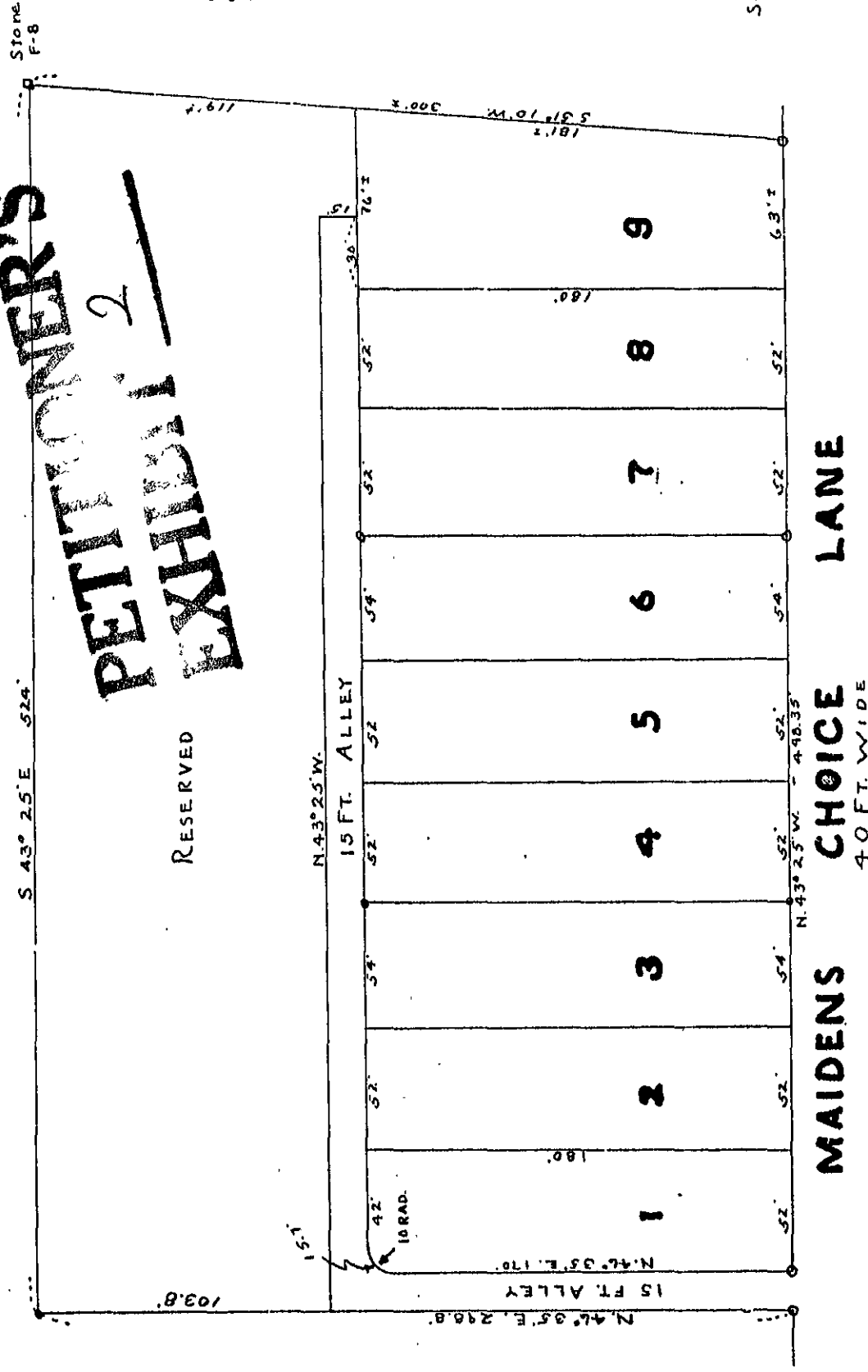
13<sup>th</sup> DIST. BALTO. CO.

scale 1" = 50'.  
June 1940

J. R. McCrone Jr.

Engineer

Annapolis



Plat No. 14 Leeds  
Filed for record June 21, 1940  
Test- E Irving Berne Jr.  
Clerk

17510  
19/20  
7/11

THE MARYLAND TITLE GUARANTEE COMPANY

ASSIGNMENT

FROM 4-18-54  
003  
HELEN C. GLADHILL, formerly  
known as Helen Catherine Cobb

TO

FRED O. GRANGER AND

ETHEL H. GRANGER, HIS WIFE  
Pinner

Block No. 251

Received for Record APR 19 1954  
at 10 o'clock P.M. Same day recorded in  
Liber 661B No. 1939. Folio 561. &c.  
one of the Land Records of Baltimore City,  
and examined per  
George D. Dwyer, Clerk.  
Cost of Record \$

Application No. 106,213.....  
Written by.....HES:ink.....  
Approved by...HES...Examiner  
Ready for Record...G.C.C...k.....

PETITIONER'S  
EXHIBIT No 4



# Standard Contract of Sale

Approved by Real Estate Board of Baltimore

H. W. SMULL & CO. - - Real Estate

PHONE  
ARBUTUS 2022

SALES • RENTALS • MORTGAGES • MANAGEMENT

4802 LEEDS AVENUE

ARBUTUS 27, MD.

This Agreement of Sale, made this 17th day of January

nineteen hundred and fifty one

, between

Seller, and

Fred. O. Granger and Ethel H. Granger, his wife

Buyer

**Witness** that the said Seller does hereby bargain and sell unto the said Buyer, and the latter does hereby purchase from the former the following described property, situate and lying in

Arbutus, Maryland better known as 1219 Maiden Choice Road, Arbutus, Maryland and further described among the Land Records of Baltimore County.

In fee simple

at and for the price of

Twenty three thousand - - - - - Dollars (\$ 23,000.00)

of which Five hundred - - - - - Dollars (\$ 500.00)

have been paid prior to the signing hereof, and the balance to be paid as follows:

Balance in cash at time of settlement.

Settlement to be held on or before ninety days from date hereof. Possession of the first floor at time of settlement and possession of the second and third floors is subject to O.P.A. regulations. Included in the sale are all permanent appurtenances and fixtures now upon the premises, which include but shall not be limited to the following: Four kitchen stoves (one in each apartment), oil burner, screens, linoleum, Shubbery, electric light fixtures, curtain rods, venetian blinds, storm windows and storm doors.

AND upon payment as above provided of the unpaid purchase money, a deed for the property shall be executed at the Buyer's expense by the Seller, which shall convey the property by a good and merchantable title to the Buyer, free of liens and encumbrances except as specified herein and except: Use and occupancy restrictions of public record which are generally applicable to properties in the immediate neighborhood or the sub-division in which the property is located, and publicly recorded easements for public utilities above ground and any other easements which may be observed by an inspection of the property.

Ground rent, rent, water rent, taxes and other public charges against the premises shall be apportioned as of date of settlement, at which time possession shall be given, and the said parties hereto hereby bind themselves, their heirs, executors and administrators, for the faithful performance of this agreement.

It is also understood and agreed that the Seller shall immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interests may appear, and continue said insurance in force during the life of this Contract.

This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost of all documentary stamps required by law shall be divided equally between the parties hereto.

Seller hereby agrees to pay commission on this sale, in accordance with the Standard Schedule of Commissions of the Real Estate Board of Baltimore, to H. W. SMULL & CO.

**Witness** in duplicate the hands and seals of the parties hereto the day and year first above written.

WITNESS-AS TO SELLER'S SIGNATURE

WITNESS-AS TO SELLER'S SIGNATURE

WITNESS-AS TO BUYER'S SIGNATURE

WITNESS-AS TO BUYER'S SIGNATURE

SELLER'S SIGNATURE

SELLER'S SIGNATURE

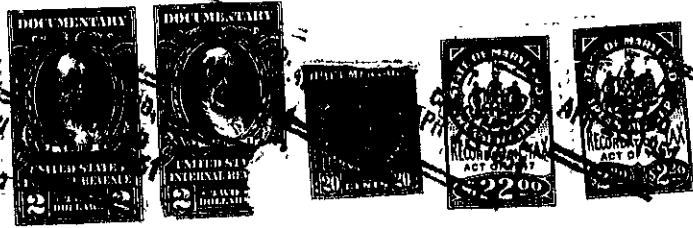
BUYER'S SIGNATURE

BUYER'S SIGNATURE

*Put No 4*

## THE MARYLAND TITLE GUARANTEE COMPANY—ASSIGNMENT

**This Assignment,** made this *17<sup>th</sup>* day of *April*  
 in the year one thousand nine hundred and fifty-one, by and between HELEN C. GLADHILL,  
 formerly known as Helen Catherine Cobb, of Baltimore County, in the State of Maryland,  
 party of the first part; and FRED O. GRANGER and ETHEL H. GRANGER, his wife, of  
 Baltimore County, in the State of Maryland, parties of the second part.



A.  
 \*

**WITNESSETH,** that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part, Helen C. Gladhill, formerly known as Helen Catherine Cobb, acting in exercise and by virtue and in pursuance of the power and authority granted unto her by virtue of an assignment from Lillie G. Hahn hereinafter referred to, does hereby grant and assign unto the said parties of the second part, as tenants by the entireties, their assigns and unto the survivor of them, his or her - - - - - personal representatives and assigns, all - - - - - that - - - - - lot - - of ground situate in Baltimore County - - -, in the State of Maryland, and described as follows, that is to say:

BEING known and designated as Lot No. 9, Plat No. 14 of Leeds, a development by E. A. Kelbaugh, said Plat being recorded among the Land Records of Baltimore County in Plat Book C.W.B.Jr. No. 12, folio 61. The improvements thereon being known as 1219 Maiden Choice Lane.

SAVING AND EXCEPTING out of the above described lot that parcel of land which by deed dated May 31, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1173, folio 66, was granted and conveyed by P. August Grill, et al, to Emory A. Kelbaugh and wife.

BEING the same lot of ground described in an assignment from Lillie G. Hahn to Helen Catherine Cobb, now known as Helen C. Gladhill, dated March 10, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1553, folio 493, for life with full powers of disposition.

TOGETHER with the buildings and improvements thereupon; and all rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot -- of ground and premises, unto and to the use of the said parties of the second part, as tenants by the entireties, their assigns and unto the survivor of them, his or her -----

personal representatives and assigns, for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual rent of Eighty-four Dollars (\$84.00), payable in equal semi-annual installments on the 15th days of April and October in each and every year.

AND the said ----- Grantor ----- hereby covenants that she has not done nor suffered to be done, any act, matter or thing whatsoever, to encumber the property hereby granted; that she will warrant specially the property hereby granted and conveyed, and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the within named Grantor.

TEST:

.....  
EDWARD C. GOLDER

.....  
Helen C. Gladhill

.....

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this 17<sup>th</sup> day of April in the year one thousand nine hundred and fifty-one before me, the subscriber, a Notary Public, of the State of Maryland, in and for Baltimore County, personally appeared HELEN C. GLADHILL, formerly known as Helen Catherine Cobb, the within named Grantor, and she acknowledged the foregoing assignment to be her act.

IN TESTIMONY WHEREOF I hereunto set my hand and notarial seal.

.....  
EDWARD C. GOLDER Notary Public.

NOTARY'S SEAL  
HERE

# SKETCH/AREA TABLE ADDENDUM

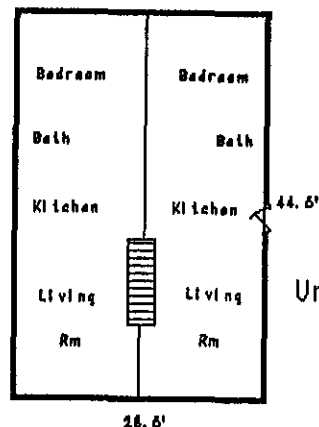
File No: 941084

SUBJECT	Borrower/Client			
	John Cardinale			
	Property Address			
	1219 Maiden Choice Lane			
	City	County	State	Zip Code
	Arbutus	Baltimore	Md	21227
	Lender			
	Reisterstown Federal Savings Bnk			

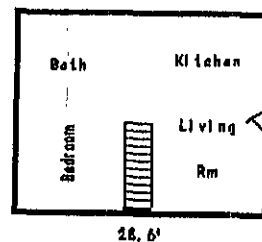
## PETITIONER'S EXHIBIT No 5

IMPROVEMENTS SKETCH

Unit 2  
2nd Floor

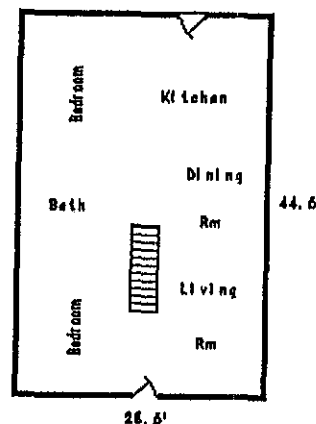
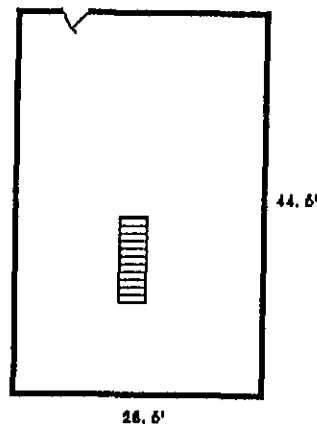


Unit 3



Unit 4  
3rd Floor

Basement



Unit 1  
1st Floor

SCALE: 1 inch = 22 feet

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

**PROTESTANTS  
EXHIBIT NO. 1**

RESOLVED: That at the general membership meeting of the Maiden Choice Community Association, Inc. held on January 17, 1995, the membership voted that responsibility for review and action on all zoning matters for the period from January 1, 1995 through December 31, 1995 be placed in the Board of Directors.

The Board consists of the following members:

Michael J. Kilduff	President
Margaret Rickle	Vice President
Eleanor R. VanDevender	Treasurer
Donna A. Cameron	Secretary
Mildred Filippino	Member-at-Large
Mary King	Member-at-Large
Lenora McKenzie	Member-at-Large

AS WITNESS OUR HANDS AND SEAL this 17th day of January, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

Donna A. Cameron

Donna A. Cameron  
Secretary

By: Michael J. Kilduff  
Michael J. Kilduff, President

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

## AFFIDAVIT

I, Michael J. Kilduff, President of the Maiden Choice Community Association, Inc. ("Association"), hereby certify that the following duly authorized officers and directors of the Association may represent, speak and/or testify on behalf of the Association at any proceeding, hearing, trial, and/or meeting held in Baltimore County for the period January 1, 1995 through December 31, 1995:

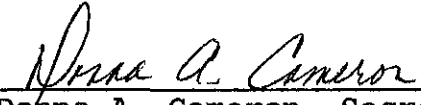
Michael J. Kilduff	President
Margaret Rickle	Vice President
Eleanor R. VanDevender	Treasurer/Zoning Chairperson
Donna A. Cameron	Secretary
Mildred Filippino	Member-at-Large
Mary King	Member-at-Large
Lenora McKenzie	Member-at-Large

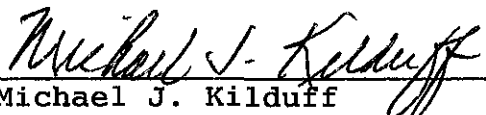
I hereby certify under penalty of perjury that the information contained herein is accurate to the best of my knowledge, information and belief.

AS WITNESS OUR HANDS AND SEAL this 17th day of January, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

  
Donna A. Cameron, Secretary

By:   
Michael J. Kilduff  
President

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5878  
VICE PRESIDENT Peggy Rickle 247-4344

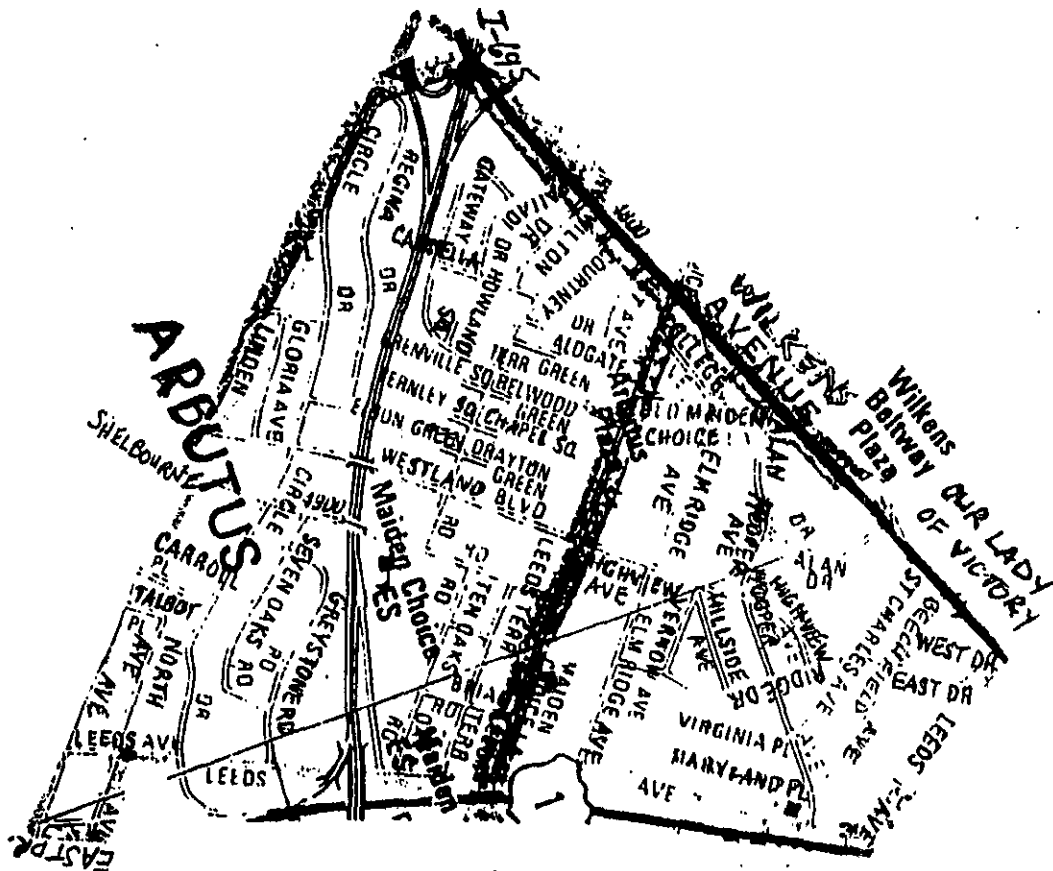
TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

4/93

## BOUNDARIES

North: I-695/Wilkens Avenue  
East: Leeds Avenue  
South: Leeds Avenue/North Ave./East Drive  
West: Linden Ave./I-695

Beginning at the intersection of Wilkens Avenue and I-695, proceeding east on Wilkens Avenue, including the property known as the Wilkens Plaza Shopping Center and the campus of Our Lady of Victory Church and School, to Leeds Avenue, continuing on Leeds Avenue to North Avenue, proceeding south on North Avenue to East Drive, west to Linden Avenue, proceeding north on Linden to the end and along an imaginary line to the intersection of Wilkens Avenue and I-695.



1219 Maiden Choice Lane

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

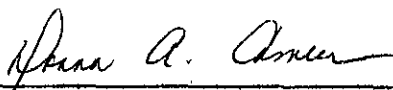
TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

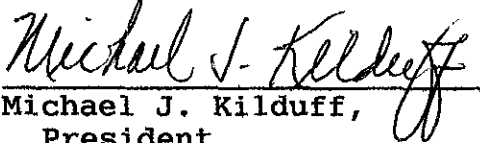
RESOLVED: That at the Board Meeting held on August 22, 1995, the Board voted to oppose the non-conforming use for four apartments at 1219 Maiden Choice Lane at a Special Hearing before the Baltimore County Zoning Commissioner (Case No., 96-25-SPH) to approve said use.

AS WITNESS OUR HANDS AND SEAL this 23rd day of August, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

  
Donna A. Cameron, Secretary

By:   
Michael J. Kilduff,  
President



MLS# (BC) 98694 \* \* \* A C T - I V E \* \* \*  
1219 MAIDEN CHOICE ZIP: 21227 MAP: BC41K05  
ARBUSUS GR. CAP: -1- RESIDENTIAL  
LIST: \$129,000  
GROUND RENT: \$0

DESCRIPTION: TRADITIONAL 3 LEVELS DETACHED 6 BEDROOMS 4/0 BATHS  
53 YRS OLD ALUM SIDING ASPH SH ROOF  
LOT SIZE : .27 ACRES  
R O O M S : LR : 13X20 DR : 15X13 KIT: 15X10  
MB : 15X12/1 BR2: 14X11/2 BR3: 12X13/2 BR4: 12X15/3  
52X181 & ALLEY  
FLOOR PLAN : FORMAL LR FAMILY ROOM DEN REC ROOM STUDY/OFFICE  
ENTRY HALL FORMAL DR EAT IN KITCH EFFIC KITCH  
APPLIANCES : GAS RANGE REFRIGERATOR  
AMENITIES : WOOD FLOORS EX CURTN ROD EX SHADES MASTER BATH SHOWER/TUB  
LOWER LEVEL: FULL, UNIMPRV LAUNDRY OUTSIDE ENTR  
H E A T > > : FUEL-OIL HEAT-HW RAD WDW SCREENS  
S I T E > > : PORCH PARKING PAD INSIDE LOT LEVEL LOT  
U T I L > > : PUBLIC WATER PUBLIC SEWER PUBLIC GAS  
ANNUAL FEES: TX: \$1,612  
FINANCE > > : CURR LOAN PD  
NONE

DIRECTIONS : WILKENS SOUTH ON MAIDEN CHOICE LANE  
REMARKS > > : LARGE HOME IN 4 UNITS WITH TWO BEDROOMS, BATH, LIVING & DINING  
: ROOMS, EAT IN KITCHEN 1ST LEVEL\*NEEDS WORK BUT SOLID BUILT.  
: GREAT FOR OWNER OCCUPY, IN-LAW OR UPDATE ZONING.

EXCLUDED > > :  
S H O W > > : CALL OFFICE POSS: 30-60  
N O T E > > : SIGN POSTED

\* ALL INFORMATION DEEMED RELIABLE BUT NOT GUARANTEED BY THE BROKER OR CMMLS \*

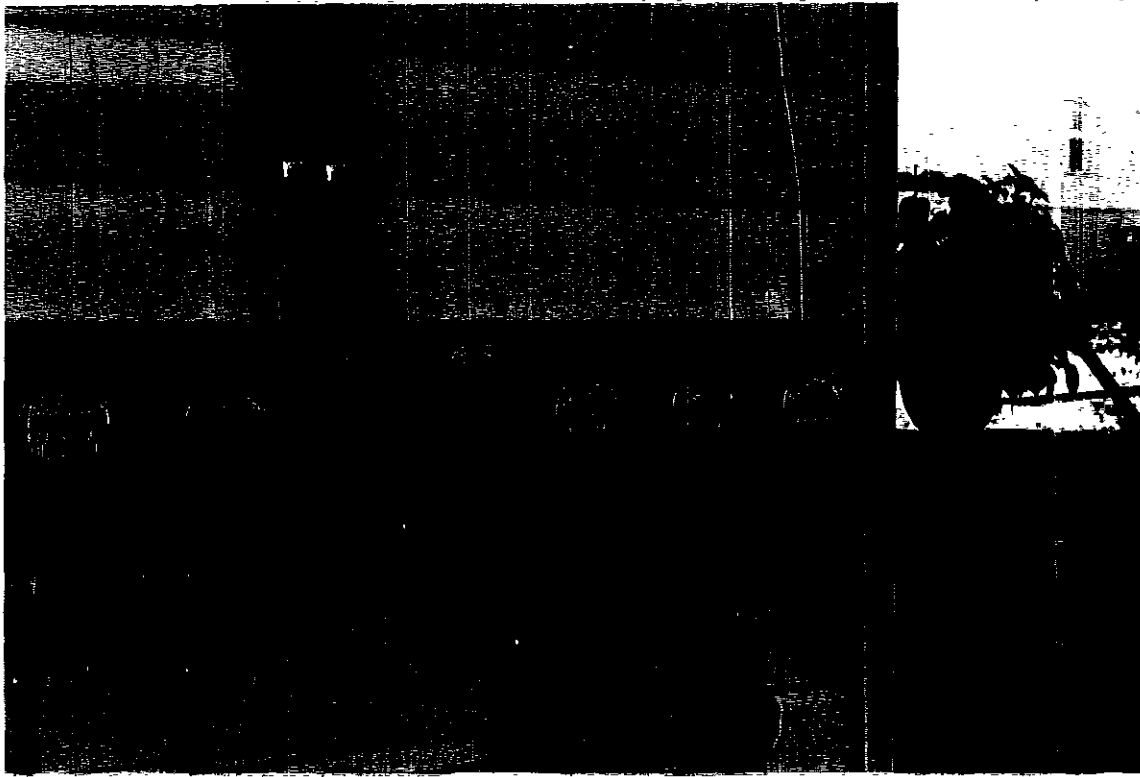
\*\* LISTING AGENT INFORMATION \*\*

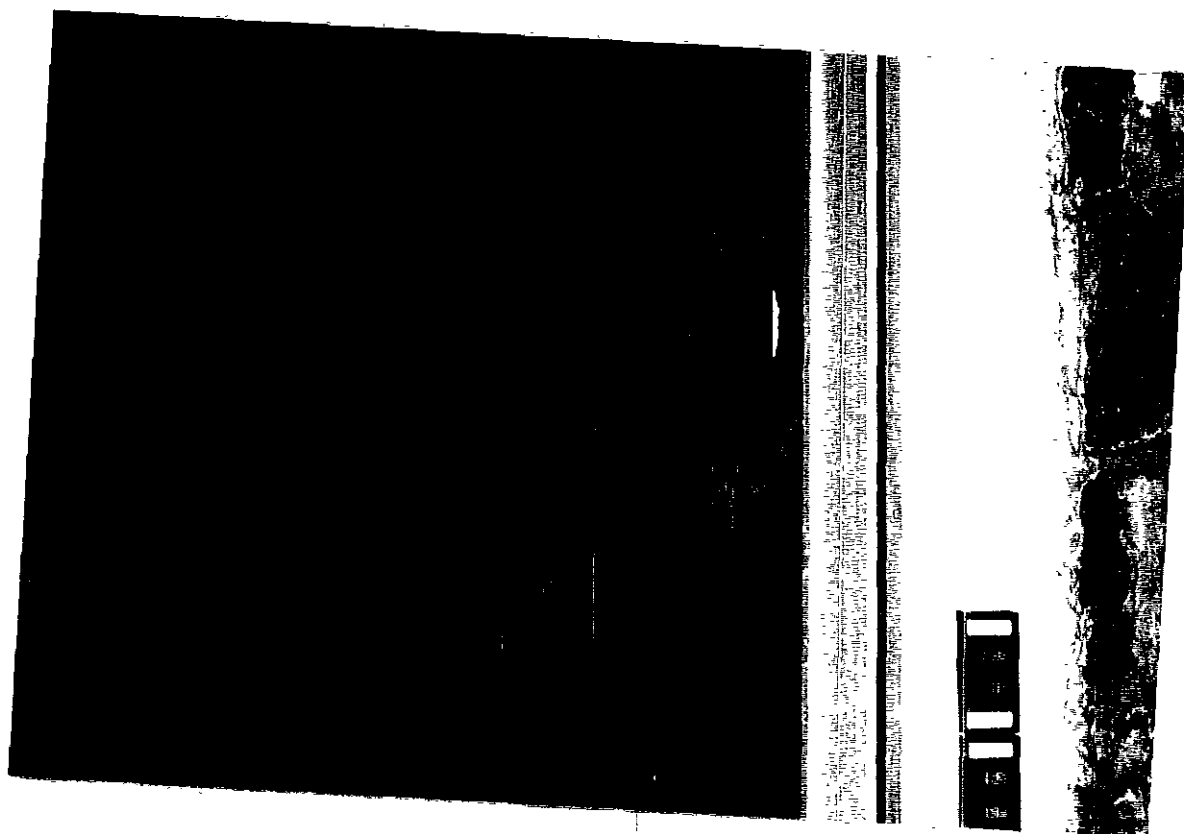
LA: Jane Byers PH: 744-8181 CO: 3 .0 BB: Y TL: E  
LB: 6345 Long & Foster Real Estate PH: 410-744-8181 MLS#: (BC) 9869  
- - COPYRIGHT (C) 1994 BY CENTRAL MARYLAND MULTIPLE LISTING SERVICE, INC. - -

**PROTESTANTS**  
**EXHIBIT NO. 2**

96-57

Phadon

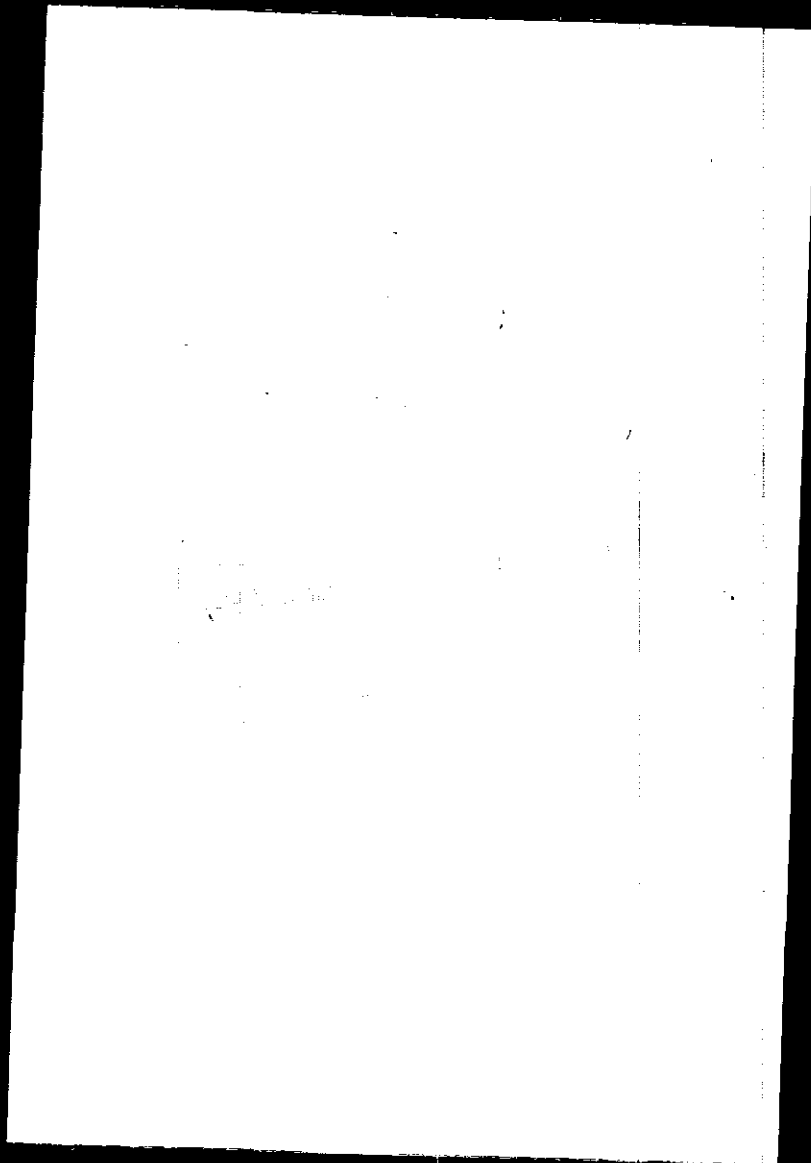
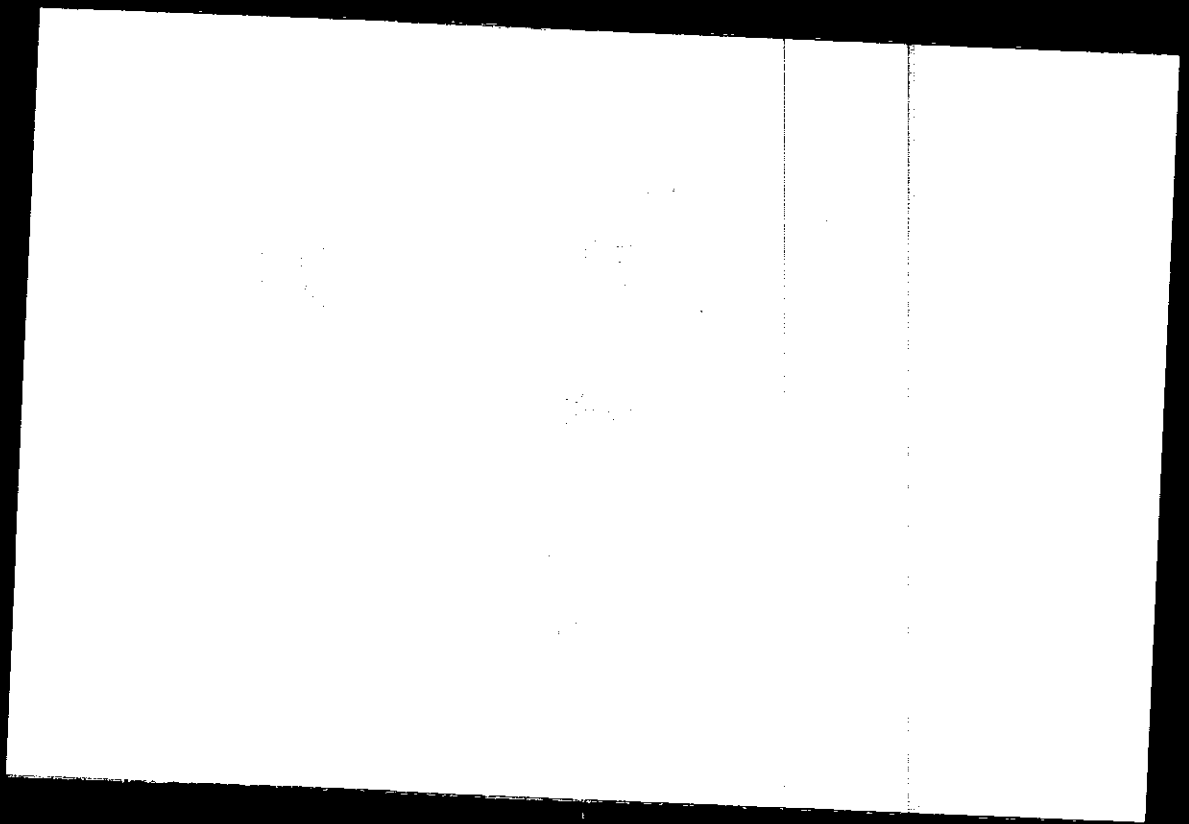


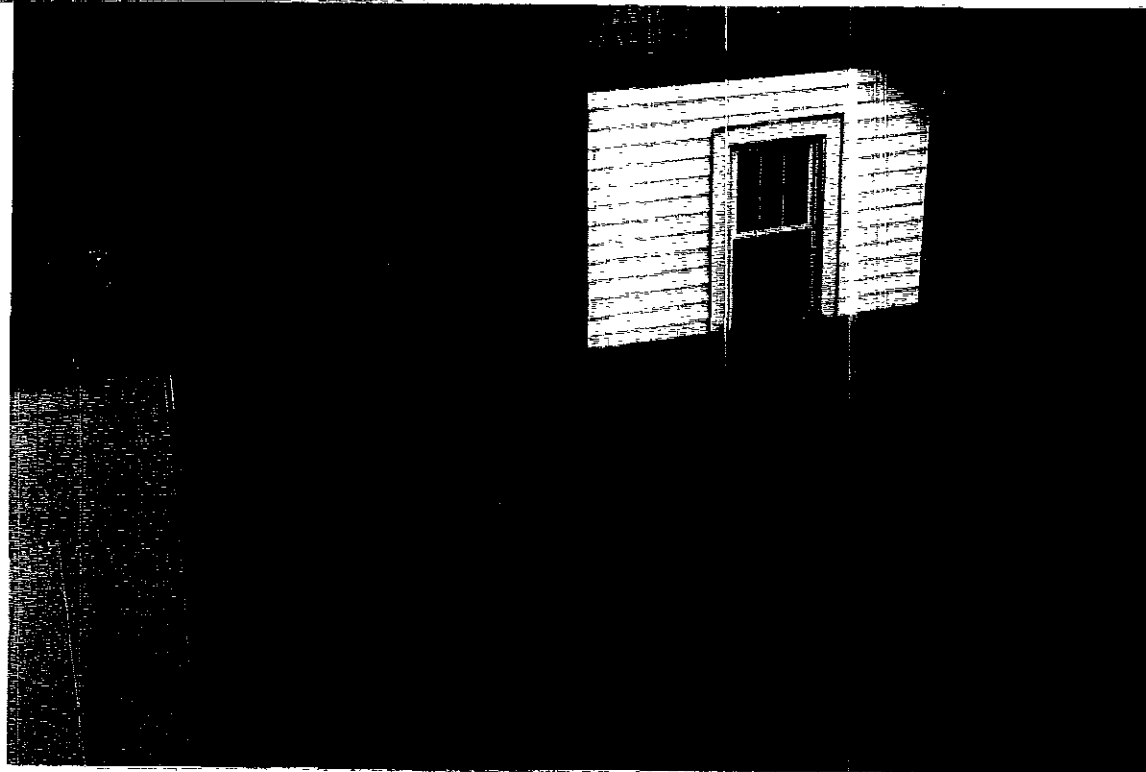
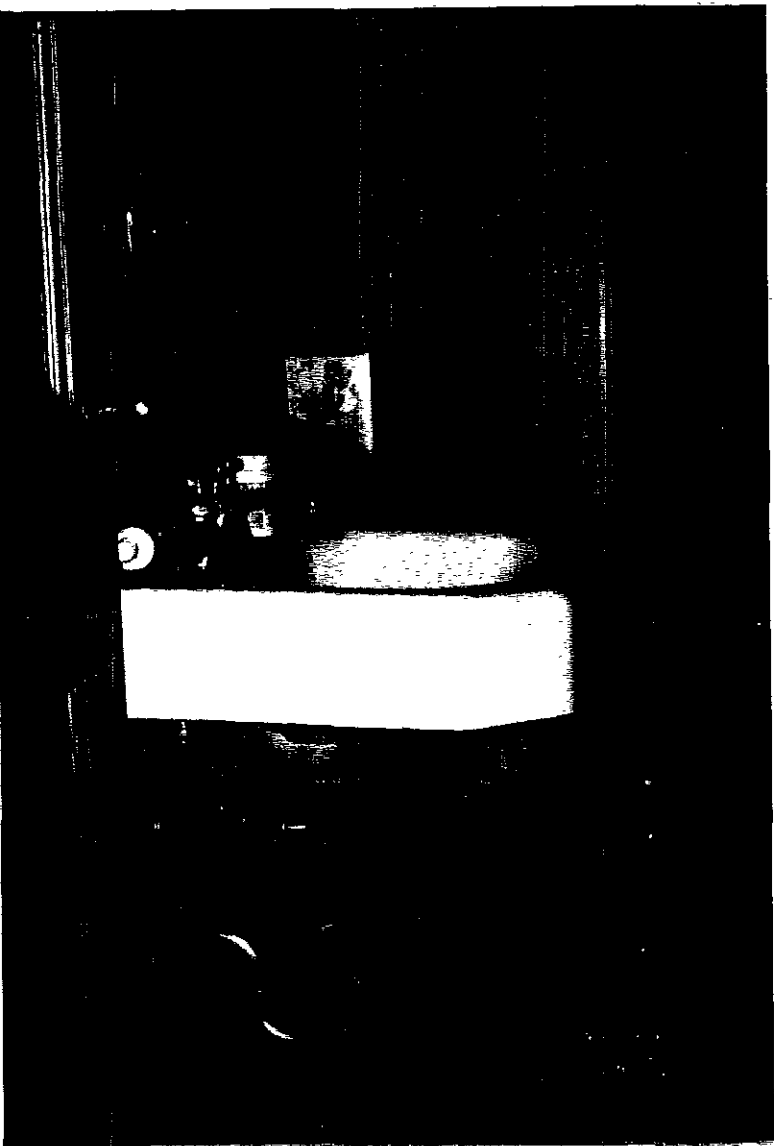


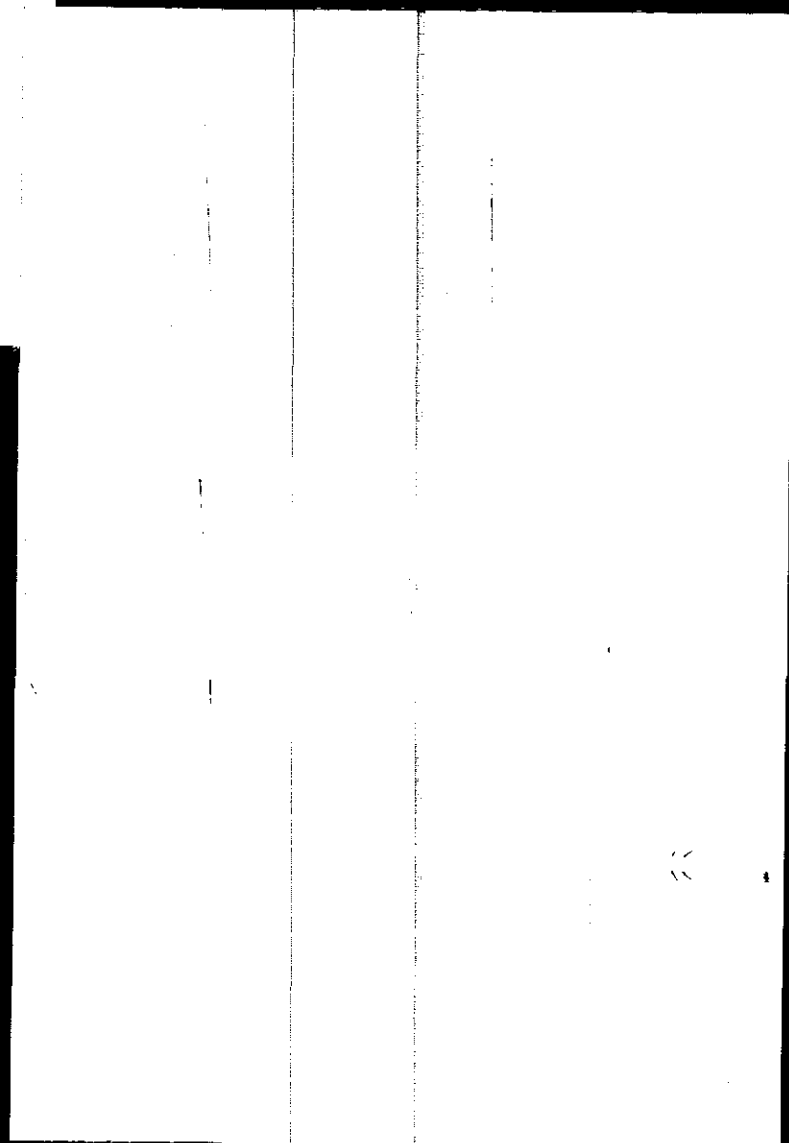
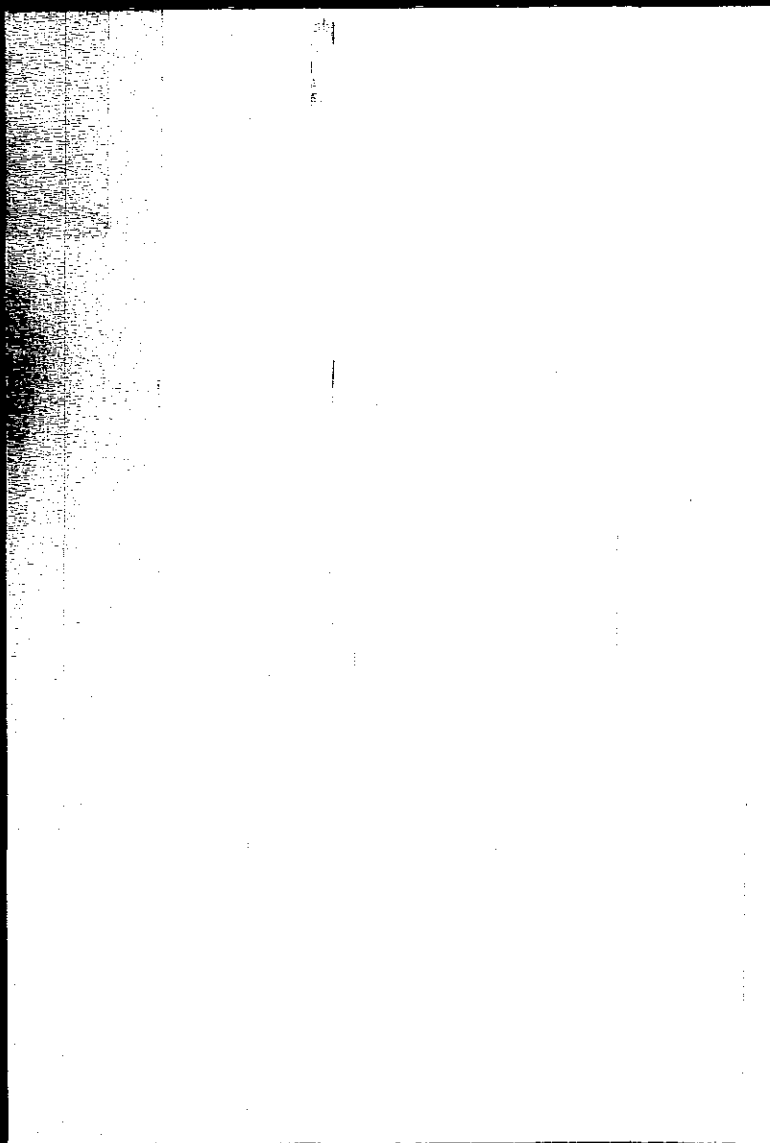


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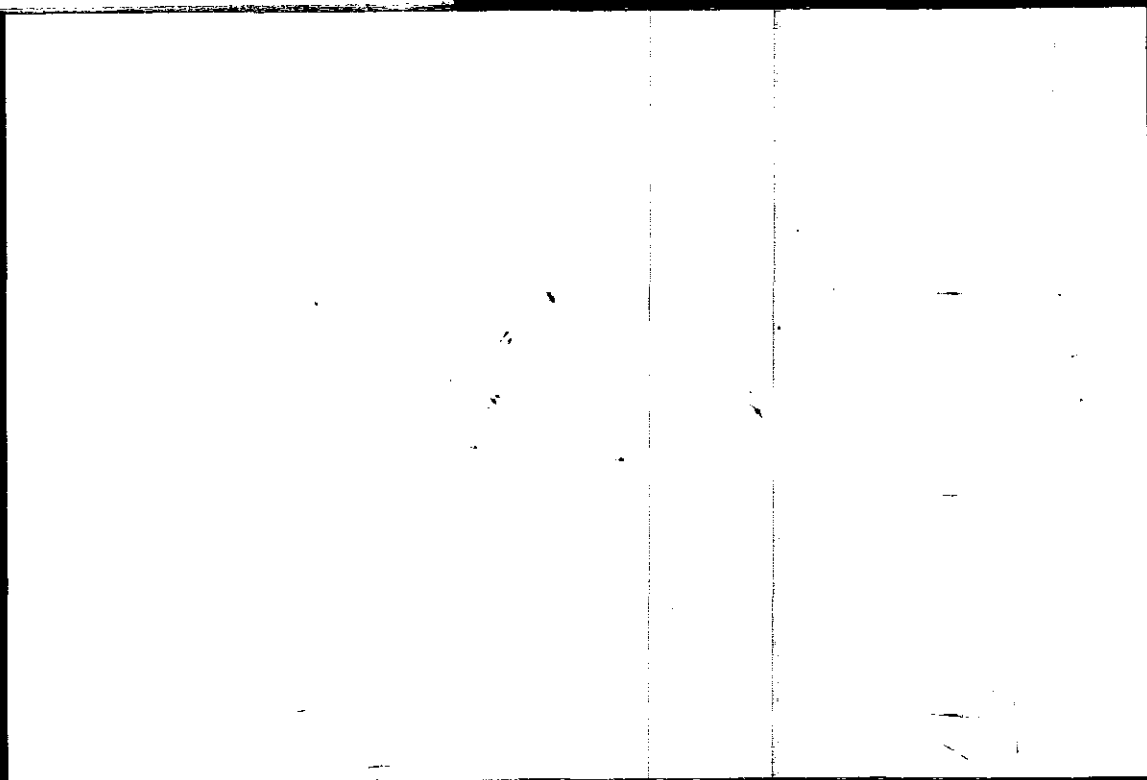
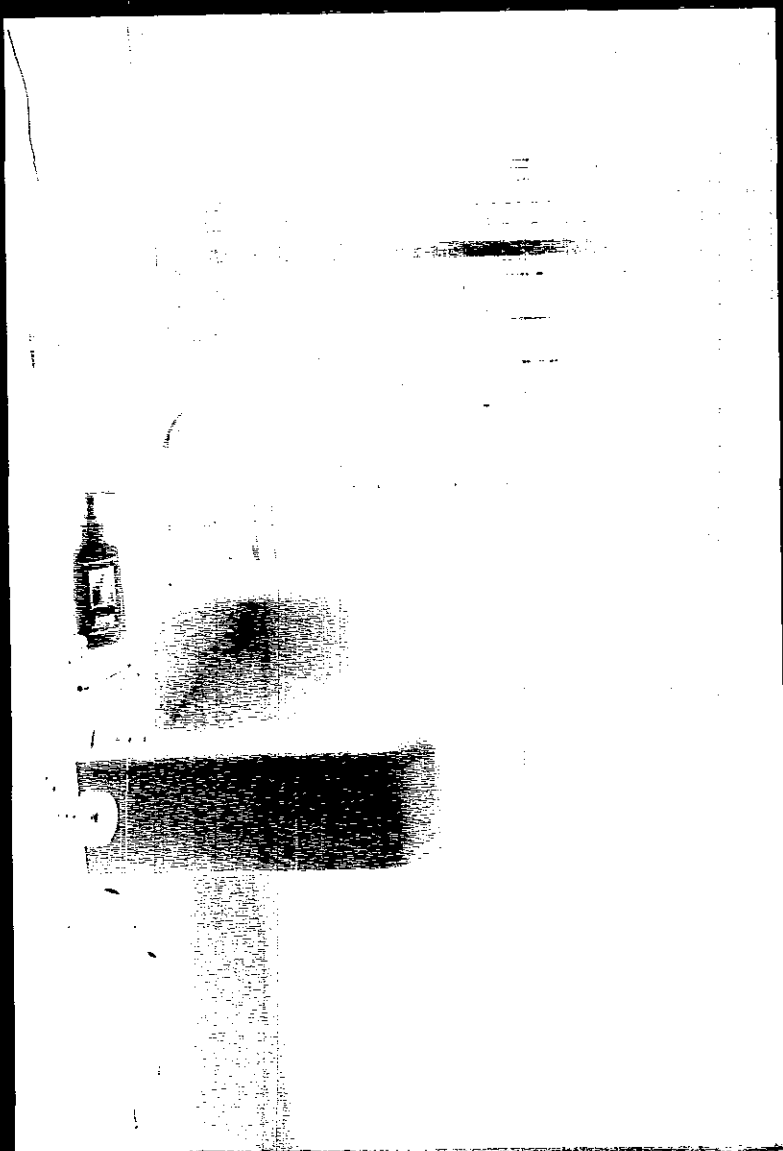
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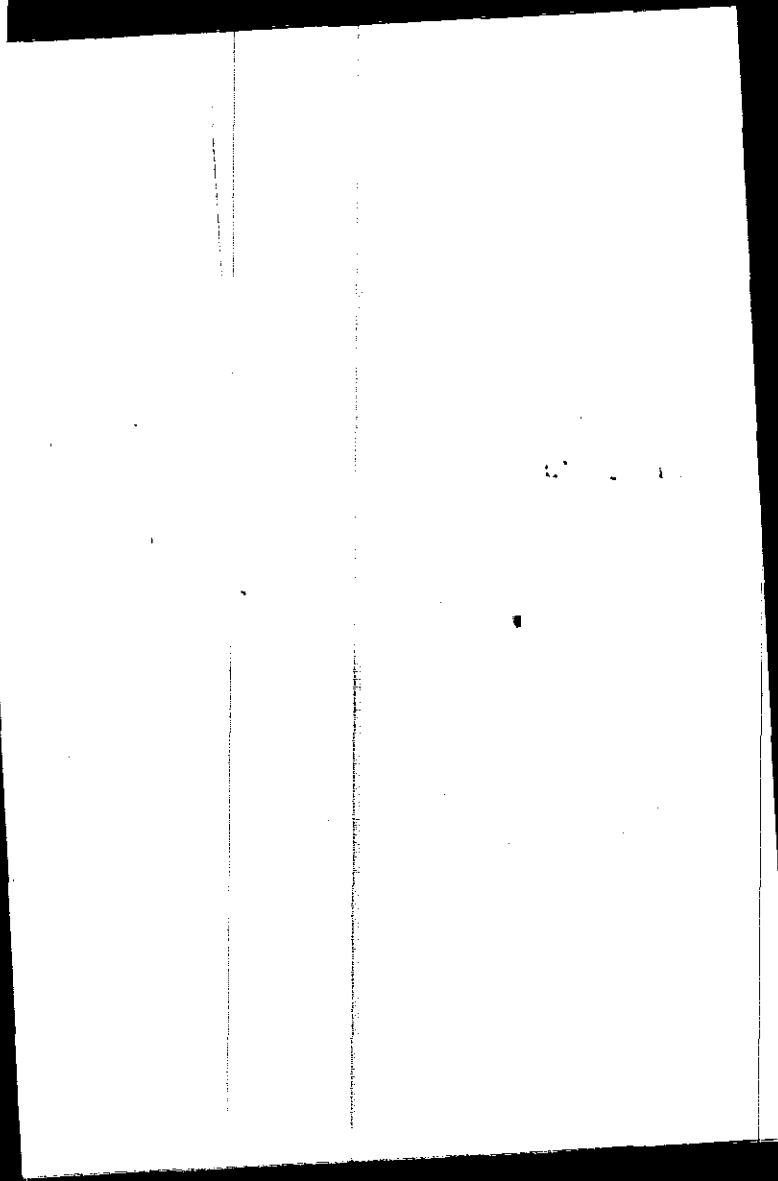
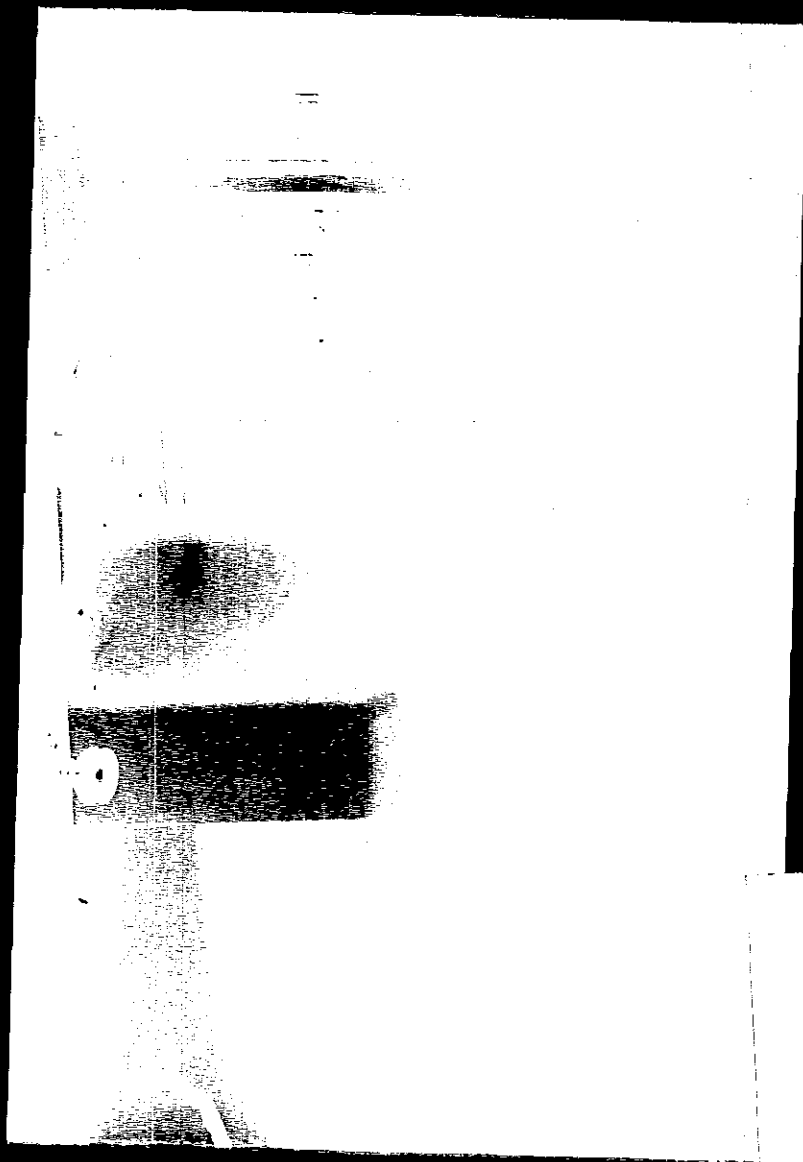












IN RE: PETITION FOR SPECIAL HEARING  
N/S Maiden Choice Lane, 180 ft.  
W of Brian Road  
1219 Maiden Choice Lane  
13th Election District  
1st Councilmanic District  
John M. Cardinale, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-25-SPH

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1219 Maiden Choice Lane in Catonsville. The Petition is filed by John M. Cardinale and Katherine L. Cardinale, his wife, property owners. Special Hearing relief is requested to approve a nonconforming use for a four apartment structure on the subject property, in a D.R.5.5 zone. The subject property is more particularly shown on Petitioners' Exhibit No. 1A, the site plan.

Appearing at the requisite public hearing held for this case was John M. Cardinale and Katherine L. Cardinale, Petitioners. Appearing on behalf of the Petitioners was Fred Granger. The Petitioners were represented by Francis X. Borgerding, Jr., Esquire. Eleanor VanDevender and Joseph R. Taafe, Sr. appeared as interested persons/Protestants.

Testimony and evidence presented was that the subject site is a rectangularly shaped lot approximately .215 acres in area. The site is located on Maiden Choice Lane in the Catonsville community. The subject property is zoned D.R.5.5. The site is improved with an existing 2-1/2 story framed dwelling which contains four apartments.

As noted above, the matter comes before me as a Petition for Special Hearing seeking designation of the use of the property of four apartments as nonconforming. Nonconforming uses are defined in Section 101 of the Baltimore County Zoning Regulations (BCZR) and are regulated in Section

9/11/97  
By: [Signature]  
DMS

104 thereof. A nonconforming use is a use that does not conform to a present use regulation for the zone in which it is located. In essence a nonconforming use is a use which predates the adoption of the zoning ordinance which prohibits the use. The nonconforming use designation is utilized to grandfather an existing illegal use. The Petitioner must demonstrate that the use existed prior to the date of the prohibiting statute and that the use has not changed or been abandoned since the adoption of the ordinance.

In this case, the Petitioners called Fred Granger to testify, a former property owner. Mr. Granger described the structure in some detail and identified floor plans which describe the interior of the site. He testified that his parents owned the property from 1951 until 1989, although his knowledge of the property goes back further in time. During the entire period of their ownership, he stated that the property was used as four apartments. One apartment was contained on the first floor, two on the second floor and the fourth apartment on the third floor. After the death of his father in 1989, Mr. Granger maintained the property as Executor of his father's estate. The property continued to be utilized as four apartments until it was subsequently sold by the Estate to the Petitioners in 1994.

9/14/95  
Jm. Granger

Records were also produced which showed that the property was listed for sale to the Petitioners as a four apartment building. Photographs submitted also showed that each apartment contains its own utility meter and the photographs depict the internal layout and separate entrances to the apartment units. Lastly, Mr. Granger testified that he had been familiar with the property prior to his parents acquisition of same in that he was born and raised in this area. He testified that the house was constructed in the 1930s and has always been used as a four apartment unit.

Mr. Cardinale testified that the four apartments have continued to be maintained since his acquisition in 1994. He noted that the building was advertised and sold to him as a four apartment unit and that the appraisal and mortgage he obtained were based upon such use. He noted that each apartment contained its own separate entrance.

As to the interested persons/Protestants who appeared, they did not offer any testimony to dispute the Petitioners' assertions. They did, however, voice certain complaints about the storage of heavy construction equipment on the site and heavy volume of traffic and parking congestion.

Based upon the testimony and evidence presented, it is clear that the Petition for Special Hearing should be granted. The testimony was convincing and uncontradicted that the property has been used in this fashion since before 1945, the date of the adoption of the first zoning regulations in Baltimore County. Moreover, the Petitioner's testimony was persuasive that the use has been continuous and not interrupted. There has been no material change or alteration of said use.

As to the Protestants' concerns, the Petitioner should be aware that the site must continue to be used for residential purposes. It cannot be used for commercial or business purposes or to serve as construction equipment storage yard or a contractor's equipment storage yard. The Petitioner indicated that he understood this limitation on the use of the property. As to parking, same cannot be regulated other than through the normal parking laws and police enforcement thereof.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 11<sup>th</sup> day of September, 1995 that, pursuant to the Petition for


ORDER RECEIVED FOR FILING

Date

By

Special Hearing, approval to allow a four apartment structure, in a D.R.5.5 zone, on the subject property, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 6, 1995

Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204

RE: Petition for Special Hearing  
John Martin Cardinale, et ux, Petitioners  
Case No. 96-25-SPH  
Property: 1219 Maiden Choice Lane

Dear Mr. Borgerding: . .

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. and Mrs. John M. Cardinale, 2525 West Chester Ave., Ellicott City  
cc: Ms. Eleanor VanDevender, P.O. Box 18262, Balto., Md. 21237  
cc: Mr. Joseph R. Taafe, Sr., 3058 Parktowne Rd., Balto.Md. 21234





# Petition for Special Hearing

96-25-SPH  
to the Zoning Commissioner of Baltimore County

for the property located at 1219 Maiden Choice Lane  
Catonsville, MD 21228

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for a four apartment structure in a D.R. 5.5 zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.

(Type or Print Name)

Signature

409 Washington Ave., Ste. 600 296-6820

Address Phone No.

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

John Martin Cardinale

(Type or Print Name)

Signature

Katherine Lynn Cardinale

(Type or Print Name)

Signature

2515 West Chester Avenue

Address

Phone No.

Ellicott City, MD 21043

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.

Name 409 Washington Ave., Ste. 600

Towson, MD 21204

296-6820

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL

OTHER

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_



Zoning Administration

Development Management

26



**John L. Schneider, P.E.**

**ENGINEERING & CONSTRUCTION CONSULTANT**

100 North Rolling Road  
Catonsville, Maryland 21228  
(410) 744-1945

96-25 SRH

Description to accompany  
request for Non-conforming use  
1219 Maiden Choice Lane  
13 th District, Baltimore Co. Md.

**Zoning Description**

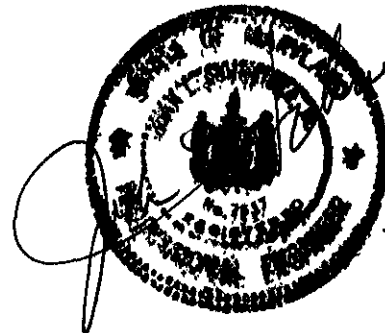
Beginning at a point on the north side of Maiden Choice Lane which is a forty feet wide at the distance of one hundred eighty feet west of the center line of the nearest improved intersecting street Brian Road which is forty feet wide. Thence the following courses and distances:

N 43 25'00"W 52'  
N 46 35'00"E 180'  
S 43 25'00"E 52'  
S 46 35'00"W 180' to the place of beginning.

**BEING KNOWN AND DESIGNATED AS Lot No. 9, Plat No. 14 of Leads, a development by E. A. Kelbaugh, said plat being recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 61. The improvements thereon being known as 1219 Maiden Choice Lane.**

**SAVING AND EXCEPTING out of the above described lot that parcel of land which by deed dated May 31, 1941 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1173, folio 66, was granted and conveyed by P. August Grill, et al, to Emory A. Kelbaugh and wife.**

**Note: See attached Location Survey and Record Plat**



STIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003653

96-25-SPH

DATE 21 July 95 ACCOUNT R-001-6150

AMOUNT \$ 285.00

RECEIVED  
FROM:

Cardinal

FOR:

SPH

1219 MAIDEN CHAIR

~~100 N. Rolling Rd~~

Item

02A0280512MCHRC

285.00

BA 171624MCHRC 21-95

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

96-25-SPH

District 13th

Date of Posting 8/4/95

Posted for: Special Hearing

Petitioner: John M. Cordina, et al.

Location of property: 1219 Maiden Christine

Location of Signs: Facing 710 Way, on property being zoned

Remarks: \_\_\_\_\_

Posted by [Signature]  
Signature

Date of return: 8/12/95

Number of Signs: 1



# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Courthouse, 480 W. Main Avenue, Towson, Maryland.

21204 as follows:

Case: 99-25-SPH

(Item 26)

1219 Maiden Choice Lane

N/S Maiden Choice Lane,

180' W of Brian Road

13th Election District

1st Councilmanic

Legal Owner(s):

John - Martin Cardinale

and Katherine Lynn

Cardinale

Hearing: Thursday,

August 24, 1995 at 9:00

a.m. in Rm. 118, Old

Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R. 5.5 zone.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handi-  
capped Accessible; for special ac-  
commodations Please Call  
887-3353.

(2) For information concern-  
ing the File and/or Hearing, Please  
Call 887-3381.  
8/065 Aug. 3.

## CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug. 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Publisher

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-25-SPH (Item 26)  
1219 Maiden Choice Lane  
N/S Maiden Choice Lane, 180' W of Brian Road  
13th Election District - 1st Councilmanic  
Legal Owner(s): John Martin Cardinale and Katherine Lynn Cardinale  
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R.-5.5 zone.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: John and Katherine Cardinale  
Francis X. Borgerding, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTUXENT PUBLISHING COMPANY  
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Francis X. Borgerding, Jr., Esq.  
409 Washington Avenue #600  
Towson MD 21204  
296-6820

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-25-SPH (Item 26)  
1219 Maiden Choice Lane  
N/S Maiden Choice Lane, 180' W of Brian Road  
13th Election District - 1st Councilmanic  
Legal Owner(s): John Martin Cardinale and Katherine Lynn Cardinale  
HEARING: THURSDAY, AUGUST 24, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use for a four apartment structure in a D.R.-5.5 zone.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Department of Permits and Licenses



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3610

August 9, 1995

Francis X. Borgerding, Jr., Esquire  
409 Washington Ave., Suite 600  
Towson, Maryland 21204

RE: Item No.: 26  
Case No.: 96-25-SPH  
Petitioner: J. M. Cardinale

Dear Mr. Borgerding:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July .

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: August 7, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for August 7, 1995  
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: JOHN MARTIN CARDINALE & KATHERINE LYNN CARDINALE

LOCATION: N/S MAIDER CHOICE LA., 180' W OF BRIAN RD.  
( 1219 MAIDEN CHOICE LA.)

Item No.: 026

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED

AUG 1 1995

ZADM





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

7-28-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 026 (CAM)

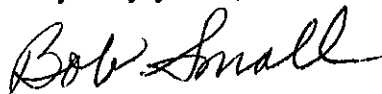
Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/31/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/31/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 17

18

24

25

26

27

LS:sp

LETTY2/DEPRM/TXTSBP

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
1219 Maiden Choice Lane, N/S Maiden Choice \* ZONING COMMISSIONER  
Lane, 180' W of Brian Road, 13th \* OF BALTIMORE COUNTY  
Election District, 1st Councilmanic \*  
John M. and Katherine L. Cardinale \* CASE NO. 96-25-SPH  
Petitioners \*

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11<sup>th</sup> day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esquire, 409 Washington Avenue, Suite 600, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

**RECEIVED**

AUG 14 1995

DEPT. OF PERMITS & LICENSES  
OF BALTIMORE COUNTY

# **PETITION PROBLEMS AGENDA OF JULY 31, 1995**

## **#18 --- JJS/MJK**

1. Receipt not given to petitioner; still in folder.

## **#20 --- JRA**

1. Folder not marked "critical area".
2. No zoning indicated on petition form.

## **#23 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. Folder not marked "critical area".
3. No review information on bottom of petition form.

## **#24 --- JLL**

1. Folder says RC-5; petition says RC-4. Which is correct?

## **#25 --- JCM**

1. Notary section is incorrect.

## **#26 --- CAM**

1. Receipt not given to petitioner; still in folder.
2. No telephone number for legal owner.
3. No review information on bottom of petition.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Eleanor VanDevender

P.O. Box 18262, Balto, MD 21227

JOSEPH R. TAFFE, SR.

3050 PARKTOWNE RD. BALTO, MD 21234



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

John M. Cardinale

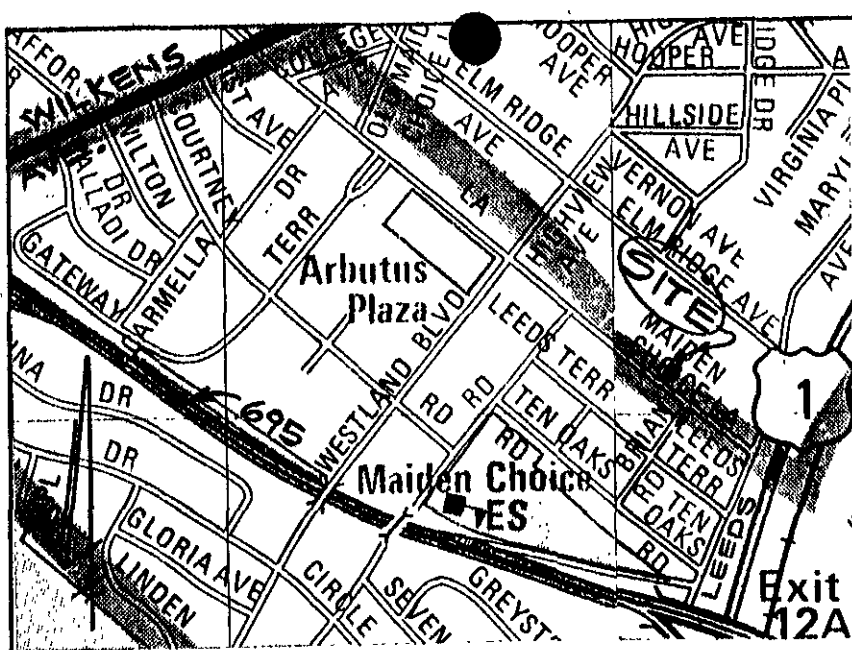
2515 Westchester Ave.

Katherine L. Cardinale

2515 Westchester Ave.

FRED GRANGER

5 ARKLA CT.



VICINITY MAP 1"=1000'

NOTE.

1. Area of Site : 9360 sq.ft. or .215 ac.
2. Existing Zoning : D.R. 5.5
3. Existing Use : 4 Unit Residential
4. Proposed Zoning : Non-Conforming Use
5. Proposed Use : 4 Unit Residential
6. Tax Map Number : 101 Parcel 1323
7. Number of Parking Spaces required :  
As existing : 4
8. Number of Parking Spaces provided : 4

**PETITIONER'S  
EXHIBIT No 1 A**

PROPERTY OWNERS

John Martin and Katherine Lynn Cardinale  
2515 Westchester Avenue  
Ellicott City, Maryland 21043  
Phone : 410-461-4834

ENGINEER  
JOHN L. SCHNEIDER, P.E.  
100 N. ROLLING RD.  
CATONSVILLE, MD. 21228  
410-744-1945

PLAN TO ACCOMPANY REQUEST FOR NON-CONFORMING USE

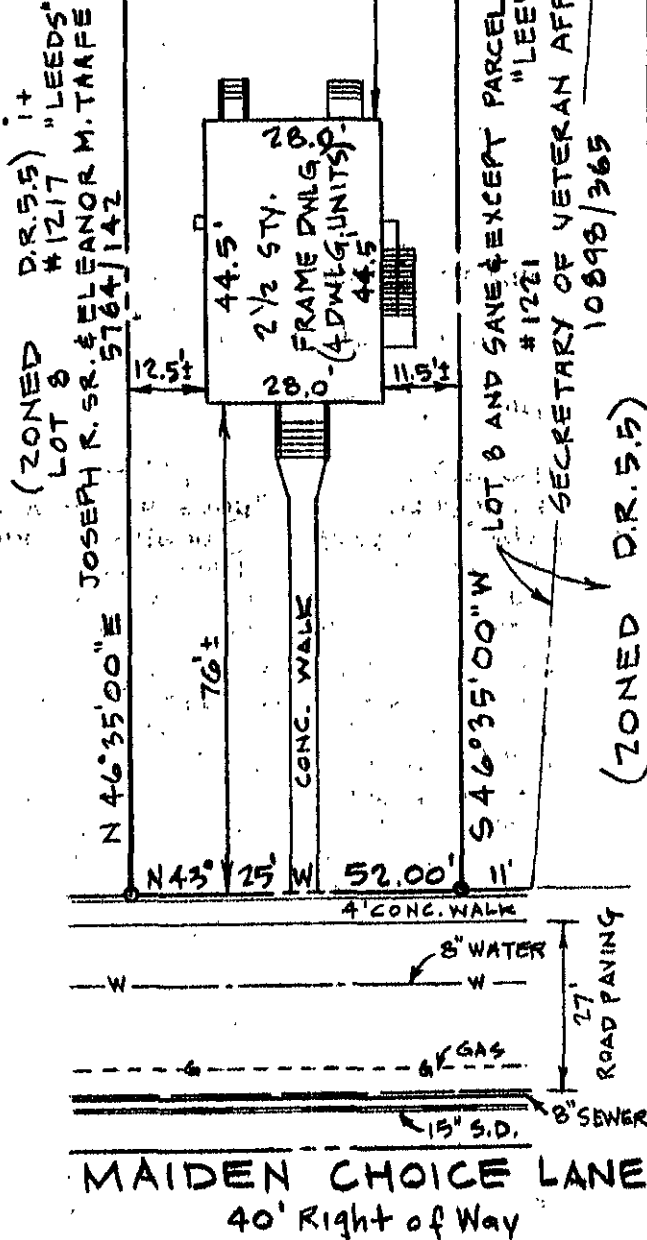
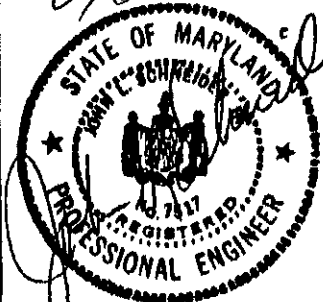
LOT 9-PLAT N°14-"LEEDS" (RECORDED JUNE 21, 1940)  
C.W.B. JR.-12-61

13TH ELECTION DISTRICT

BALTIMORE COUNTY - MD.

SCALE: 1"=30'

DATE: 6/12/95



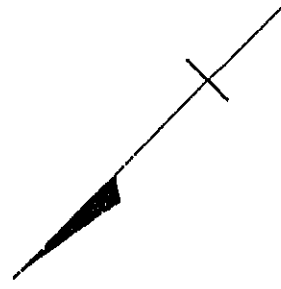


**C.W.B.jr.-12-61**

24.  
PETITIONER'S  
EXHIBIT 2

RESERVED

Note - Indicates Corner Pipe  
Outline of entire Property  
taken from a survey by  
William Whitney in 1934



PLAT No 14

**NEW**

# A DEVELOPMENT OF

E. A. KELBAUGH

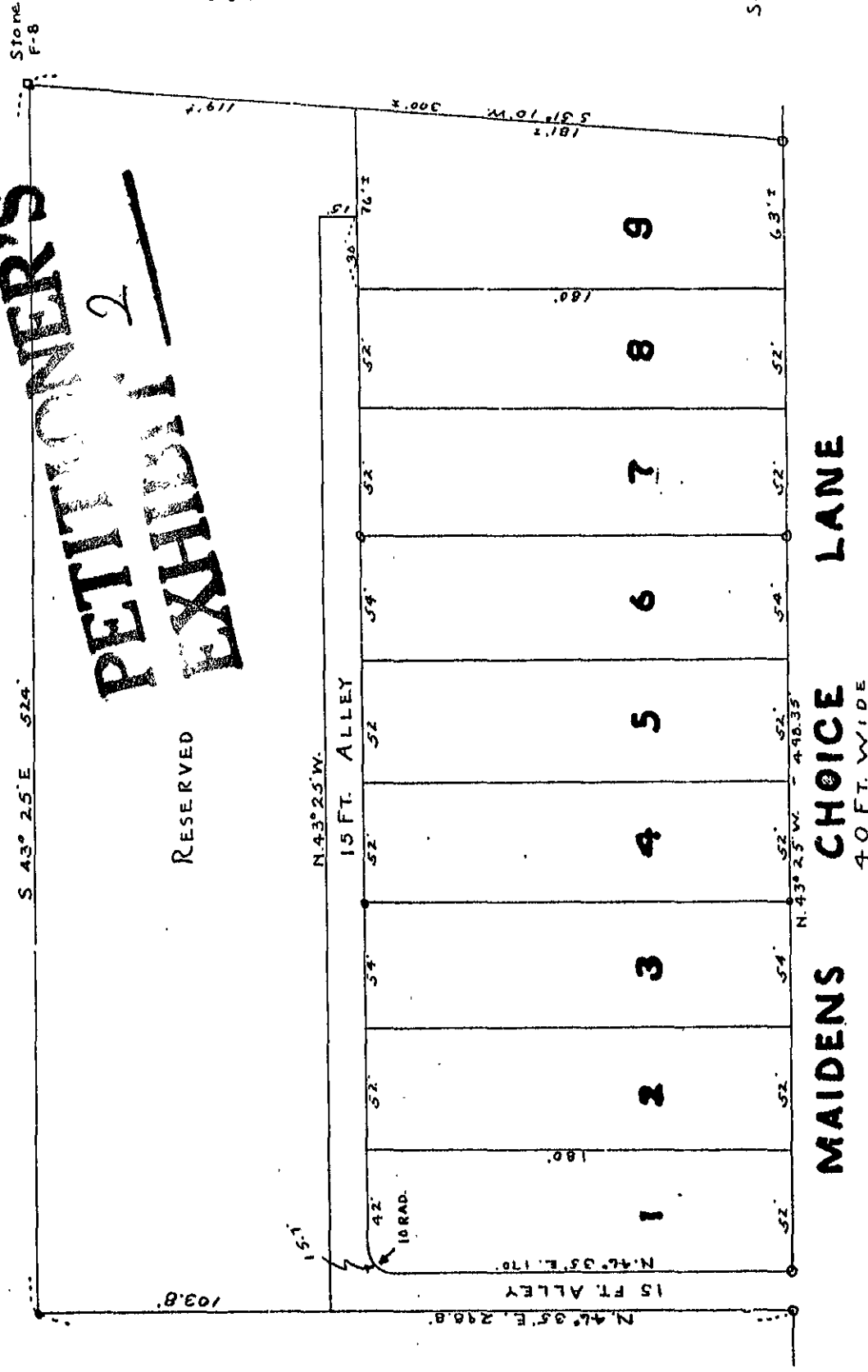
13<sup>th</sup> DIST. BALTO. CO.

scale 1" = 50'.  
June 1940

11B McCrone Jr

Engineer

Annapolis



Plat No. 14 Leeds  
Filed for record June 21, 1940  
Test E Wmmy Boone Jr.  
Clerk

17510  
19/20  
7/11

THE MARYLAND TITLE GUARANTEE COMPANY

ASSIGNMENT

FROM *4-18-54*  
*003*  
HELEN C. GLADHILL, formerly  
known as Helen Catherine Cobb

TO

FRED O. GRANGER AND

ETHEL H. GRANGER, HIS WIFE

Block No. *251*

Received for Record APR 19

*at 10 o'clock* M. Same day recorded in  
Liber *66* No. 1939. Folio 561. &c.  
one of the Land Records of Baltimore City,  
and examined per

*George D. Bynum* Clerk.  
Cost of Record \$ *1.00*

Application No. 106,213.....  
Written by.....HES:ink.....  
Approved by...*HES*.....Examiner  
Ready for Record...*6/10/54*.....

PETITIONER'S  
EXHIBIT *No 4*

# Standard Contract of Sale

Approved by Real Estate Board of Baltimore

H. W. SMULL & CO. - - Real Estate

PHONE  
ARBUTUS 2022

SALES • RENTALS • MORTGAGES • MANAGEMENT

4802 LEEDS AVENUE

ARBUTUS 27, MD.

This Agreement of Sale, made this 17th day of January

nineteen hundred and fifty one

, between

Seller, and

Fred. O. Granger and Ethel H. Granger, his wife

Buyer

**Witness** that the said Seller does hereby bargain and sell unto the said Buyer, and the latter does hereby purchase from the former the following described property, situate and lying in

Arbutus, Maryland better known as 1219 Maiden Choice Road, Arbutus, Maryland and further described among the Land Records of Baltimore County.

In fee simple

at and for the price of

Twenty three thousand - - - - - Dollars (\$ 23,000.00)

of which Five hundred - - - - - Dollars (\$ 500.00)

have been paid prior to the signing hereof, and the balance to be paid as follows:

Balance in cash at time of settlement.

Settlement to be held on or before ninety days from date hereof. Possession of the first floor at time of settlement and possession of the second and third floors is subject to O.P.A. regulations. Included in the sale are all permanent appurtenances and fixtures now upon the premises, which include but shall not be limited to the following: Four kitchen stoves (one in each apartment), oil burner, screens, linoleum, Shubbery, electric light fixtures, curtain rods, venetian blinds, storm windows and storm doors.

AND upon payment as above provided of the unpaid purchase money, a deed for the property shall be executed at the Buyer's expense by the Seller, which shall convey the property by a good and merchantable title to the Buyer, free of liens and encumbrances except as specified herein and except: Use and occupancy restrictions of public record which are generally applicable to properties in the immediate neighborhood or the sub-division in which the property is located, and publicly recorded easements for public utilities above ground and any other easements which may be observed by an inspection of the property.

Ground rent, rent, water rent, taxes and other public charges against the premises shall be apportioned as of date of settlement, at which time possession shall be given, and the said parties hereto hereby bind themselves, their heirs, executors and administrators, for the faithful performance of this agreement.

It is also understood and agreed that the Seller shall immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interests may appear, and continue said insurance in force during the life of this Contract.

This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost of all documentary stamps required by law shall be divided equally between the parties hereto.

Seller hereby agrees to pay commission on this sale, in accordance with the Standard Schedule of Commissions of the Real Estate Board of Baltimore, to H. W. SMULL & CO.

**Witness** in duplicate the hands and seals of the parties hereto the day and year first above written.

WITNESS-AS TO SELLER'S SIGNATURE

WITNESS-AS TO SELLER'S SIGNATURE

WITNESS-AS TO BUYER'S SIGNATURE

WITNESS-AS TO BUYER'S SIGNATURE

SELLER'S SIGNATURE

SELLER'S SIGNATURE

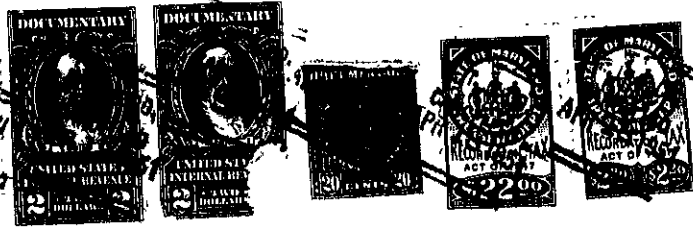
BUYER'S SIGNATURE

BUYER'S SIGNATURE

*Put No 4*

## THE MARYLAND TITLE GUARANTEE COMPANY—ASSIGNMENT

**This Assignment,** made this *17<sup>th</sup>* day of *April*  
 in the year one thousand nine hundred and fifty-one, by and between HELEN C. GLADHILL,  
 formerly known as Helen Catherine Cobb, of Baltimore County, in the State of Maryland,  
 party of the first part; and FRED O. GRANGER and ETHEL H. GRANGER, his wife, of  
 Baltimore County, in the State of Maryland, parties of the second part.



A.  
 \*

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good  
 and valuable considerations, the receipt whereof is hereby acknowledged, the said  
 party of the first part, Helen C. Gladhill, formerly known as Helen Catherine Cobb,  
 acting in exercise and by virtue and in pursuance of the power and authority granted  
 unto her by virtue of an assignment from Lillie G. Hahn hereinafter referred to, does  
 hereby grant and assign unto the said parties of the second part, as tenants by the  
 entireties, their assigns and unto the survivor of them, his or her - - - - -  
*personal representatives and assigns, all - - - - - that - - - - - lot - - of*  
*ground situate in Baltimore County - - -, in the State of Maryland, and described as follows,*  
*that is to say:*

BEING known and designated as Lot No. 9, Plat No. 14 of Leeds, a development  
 by E. A. Kelbaugh, said Plat being recorded among the Land Records of Baltimore County  
 in Plat Book C.W.B.Jr. No. 12, folio 61. The improvements thereon being known as 1219  
 Maiden Choice Lane.

SAVING AND EXCEPTING out of the above described lot that parcel of land which by  
 deed dated May 31, 1941 and recorded among the Land Records of Baltimore County in Liber  
 C.H.K. No. 1173, folio 66, was granted and conveyed by P. August Grill, et al, to Emory  
 A. Kelbaugh and wife.

BEING the same lot of ground described in an assignment from Lillie G. Hahn to  
 Helen Catherine Cobb, now known as Helen C. Gladhill, dated March 10, 1947 and recorded  
 among the Land Records of Baltimore County in Liber J.W.B. No. 1553, folio 493, for life  
 with full powers of disposition.

TOGETHER with the buildings and improvements thereupon; and all rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot -- of ground and premises, unto and to the use of the said parties of the second part, as tenants by the entireties, their assigns and unto the survivor of them, his or her -----

personal representatives and assigns, for all the residue of the term of years yet to come and unexpired therein, with the benefit of renewal forever; subject to the payment of the annual rent of Eighty-four Dollars (\$84.00), payable in equal semi-annual installments on the 15th days of April and October in each and every year.

AND the said ----- Grantor ----- hereby covenants that she has not done nor suffered to be done, any act, matter or thing whatsoever, to encumber the property hereby granted; that she will warrant specially the property hereby granted and conveyed, and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the within named Grantor.

TEST:

.....  
EDWARD C. GOLDER

.....  
Helen C. Gladhill (SEAL)

..... (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this 17<sup>th</sup> day of April in the year one thousand nine hundred and fifty-one before me, the subscriber, a Notary Public, of the State of Maryland, in and for Baltimore County, personally appeared HELEN C. GLADHILL, formerly known as Helen Catherine Cobb, the within named Grantor, and she acknowledged the foregoing assignment to be her act.

IN TESTIMONY WHEREOF I hereunto set my hand and notarial seal.

.....  
EDWARD C. GOLDER Notary Public.

NOTARY'S SEAL  
HERE

# SKETCH/AREA TABLE ADDENDUM

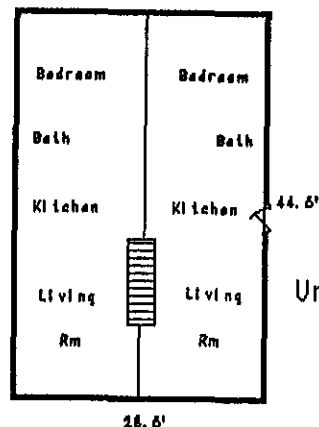
File No: 941084

SUBJECT	Borrower/Client			
	John Cardinale			
	Property Address			
	1219 Maiden Choice Lane			
	City	County	State	Zip Code
	Arbutus	Baltimore	Md	21227
	Lender			
	Reisterstown Federal Savings Bnk			

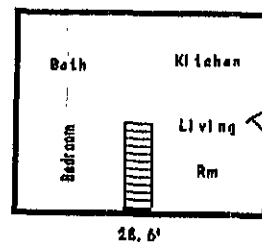
## PETITIONER'S EXHIBIT No 5

IMPROVEMENTS SKETCH

Unit 2  
2nd Floor

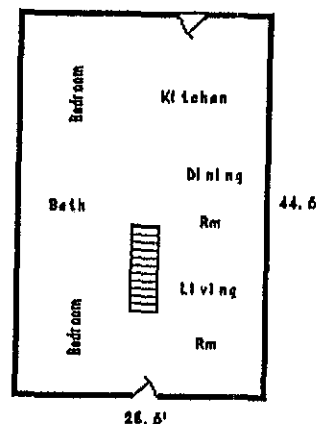
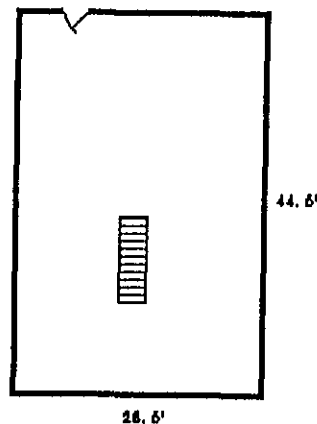


Unit 3



Unit 4  
3rd Floor

Basement



Unit 1  
1st Floor

SCALE: 1 inch = 22 feet

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

**PROTESTANTS  
EXHIBIT NO. 1**

RESOLVED: That at the general membership meeting of the Maiden Choice Community Association, Inc. held on January 17, 1995, the membership voted that responsibility for review and action on all zoning matters for the period from January 1, 1995 through December 31, 1995 be placed in the Board of Directors.

The Board consists of the following members:

Michael J. Kilduff	President
Margaret Rickle	Vice President
Eleanor R. VanDevender	Treasurer
Donna A. Cameron	Secretary
Mildred Filippino	Member-at-Large
Mary King	Member-at-Large
Lenora McKenzie	Member-at-Large

AS WITNESS OUR HANDS AND SEAL this 17th day of January, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

Donna A. Cameron

Donna A. Cameron  
Secretary

By: Michael J. Kilduff  
Michael J. Kilduff, President

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

## AFFIDAVIT

I, Michael J. Kilduff, President of the Maiden Choice Community Association, Inc. ("Association"), hereby certify that the following duly authorized officers and directors of the Association may represent, speak and/or testify on behalf of the Association at any proceeding, hearing, trial, and/or meeting held in Baltimore County for the period January 1, 1995 through December 31, 1995:

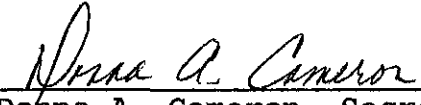
Michael J. Kilduff	President
Margaret Rickle	Vice President
Eleanor R. VanDevender	Treasurer/Zoning Chairperson
Donna A. Cameron	Secretary
Mildred Filippino	Member-at-Large
Mary King	Member-at-Large
Lenora McKenzie	Member-at-Large

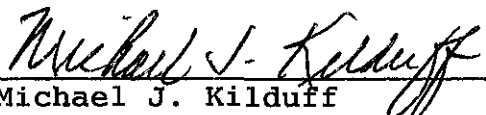
I hereby certify under penalty of perjury that the information contained herein is accurate to the best of my knowledge, information and belief.

AS WITNESS OUR HANDS AND SEAL this 17th day of January, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

  
Donna A. Cameron, Secretary

By:   
Michael J. Kilduff  
President



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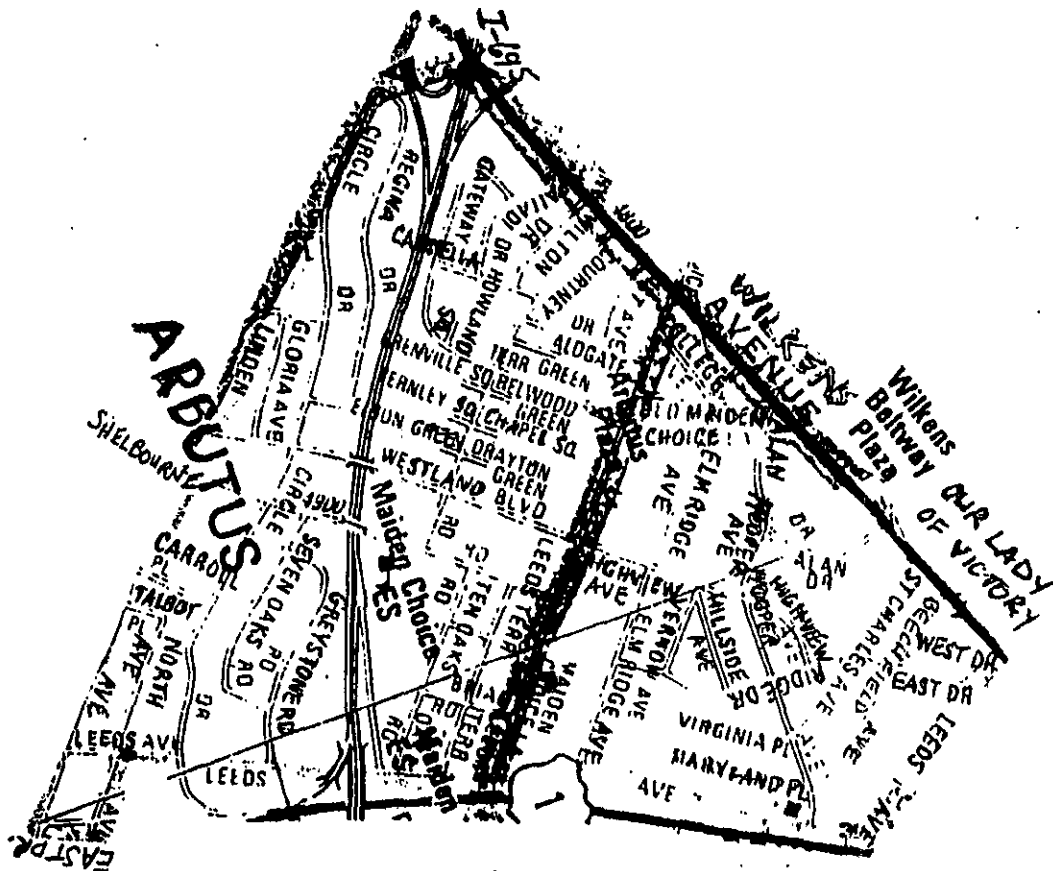
TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

4/93

## BOUNDARIES

North: I-695/Wilkens Avenue  
East: Leeds Avenue  
South: Leeds Avenue/North Ave./East Drive  
West: Linden Ave./I-695

Beginning at the intersection of Wilkens Avenue and I-695, proceeding east on Wilkens Avenue, including the property known as the Wilkens Plaza Shopping Center and the campus of Our Lady of Victory Church and School, to Leeds Avenue, continuing on Leeds Avenue to North Avenue, proceeding south on North Avenue to East Drive, west to Linden Avenue, proceeding north on Linden to the end and along an imaginary line to the intersection of Wilkens Avenue and I-695.



1219 Maiden Choice Lane

# MAIDEN CHOICE COMMUNITY ASSOCIATION, INC.

P.O. Box 18262, Halethorpe, Maryland 21227

PRESIDENT Mike Kilduff 242-5876  
VICE PRESIDENT Peggy Rickle 247-4344

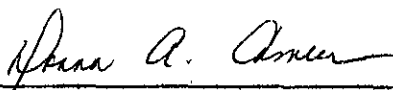
TREASURER Eleanor VanDevender 247-4137  
SECRETARY Donna Cameron 823-3399

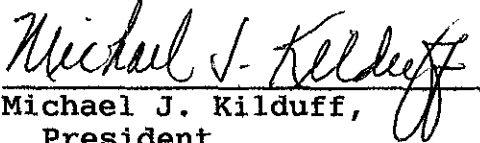
RESOLVED: That at the Board Meeting held on August 22, 1995, the Board voted to oppose the non-conforming use for four apartments at 1219 Maiden Choice Lane at a Special Hearing before the Baltimore County Zoning Commissioner (Case No., 96-25-SPH) to approve said use.

AS WITNESS OUR HANDS AND SEAL this 23rd day of August, 1995.

ATTEST:

MAIDEN CHOICE COMMUNITY  
ASSOCIATION, INC.

  
Donna A. Cameron, Secretary

By:   
Michael J. Kilduff,  
President

MLS# (BC) 98694 \* \* \* A C T - I V E \* \* \*  
1219 MAIDEN CHOICE ZIP: 21227 MAP: BC41K05  
ARBUSUS GR. CAP: -1- RESIDENTIAL  
LIST: \$129,000  
GROUND RENT: \$0

DESCRIPTION: TRADITIONAL 3 LEVELS DETACHED 6 BEDROOMS 4/0 BATHS  
53 YRS OLD ALUM SIDING ASPH SH ROOF  
LOT SIZE : .27 ACRES  
R O O M S : LR : 13X20 DR : 15X13 KIT: 15X10  
MB : 15X12/1 BR2: 14X11/2 BR3: 12X13/2 BR4: 12X15/3  
52X181 & ALLEY  
FLOOR PLAN : FORMAL LR FAMILY ROOM DEN REC ROOM STUDY/OFFICE  
ENTRY HALL FORMAL DR EAT IN KITCH EFFIC KITCH  
APPLIANCES : GAS RANGE REFRIGERATOR  
AMENITIES : WOOD FLOORS EX CURTN ROD EX SHADES MASTER BATH SHOWER/TUB  
LOWER LEVEL: FULL, UNIMPRV LAUNDRY OUTSIDE ENTR  
H E A T > > : FUEL-OIL HEAT-HW RAD WDW SCREENS  
S I T E > > : PORCH PARKING PAD INSIDE LOT LEVEL LOT  
U T I L > > : PUBLIC WATER PUBLIC SEWER PUBLIC GAS  
ANNUAL FEES: TX: \$1,612  
FINANCE > > : CURR LOAN PD  
NONE

DIRECTIONS : WILKENS SOUTH ON MAIDEN CHOICE LANE  
REMARKS > > : LARGE HOME IN 4 UNITS WITH TWO BEDROOMS, BATH, LIVING & DINING  
: ROOMS, EAT IN KITCHEN 1ST LEVEL\*NEEDS WORK BUT SOLID BUILT.  
: GREAT FOR OWNER OCCUPY, IN-LAW OR UPDATE ZONING.

EXCLUDED > > :  
S H O W > > : CALL OFFICE POSS: 30-60  
N O T E > > : SIGN POSTED

\* ALL INFORMATION DEEMED RELIABLE BUT NOT GUARANTEED BY THE BROKER OR CMMLS \*

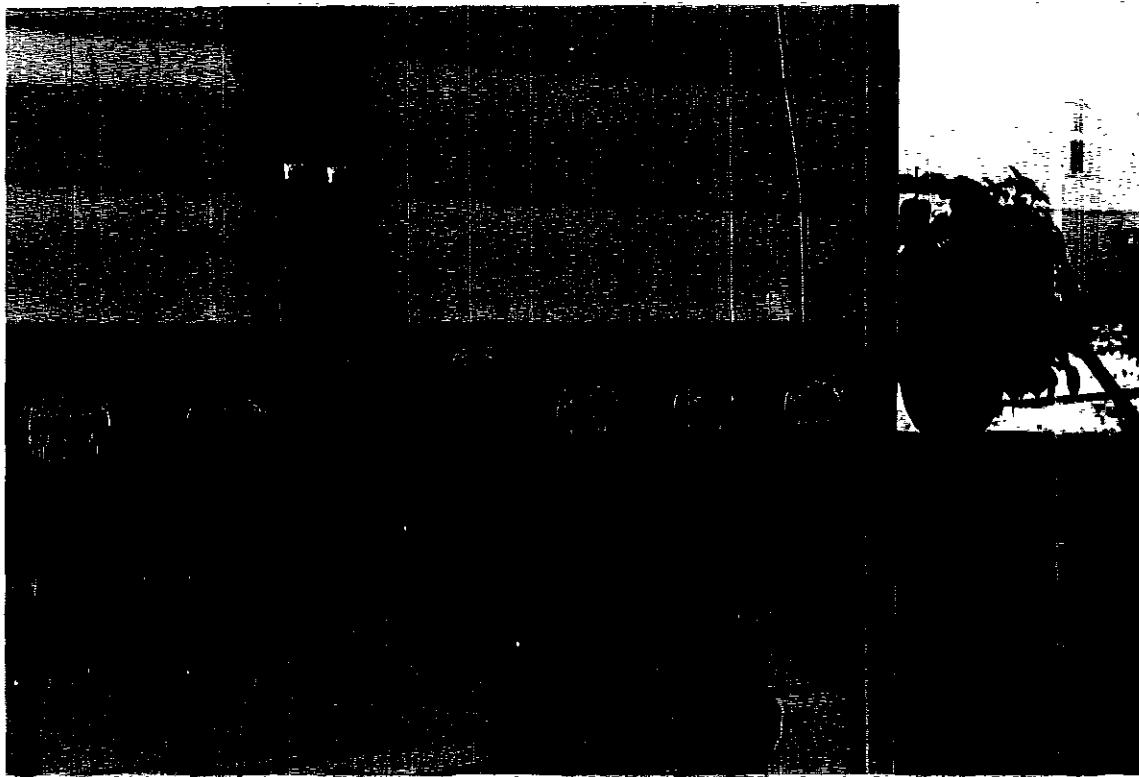
\*\* LISTING AGENT INFORMATION \*\*

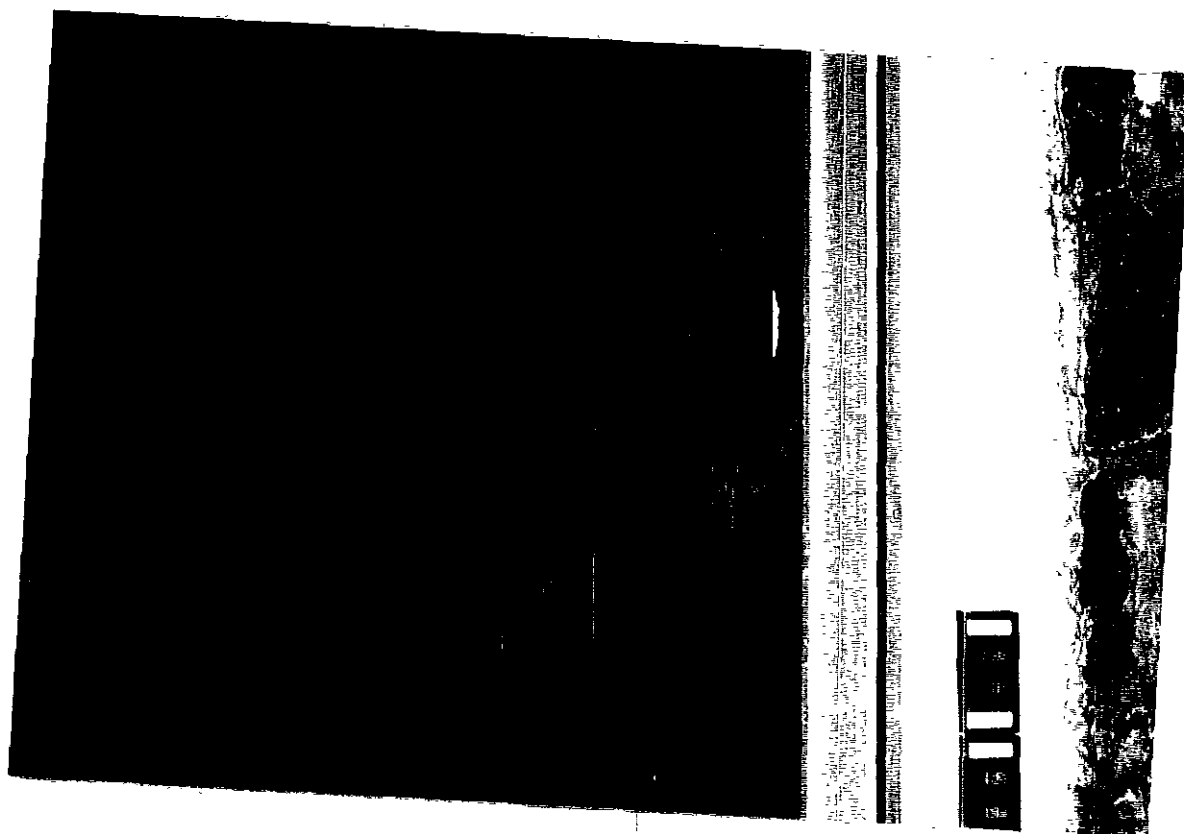
LA: Jane Byers PH: 744-8181 CO: 3 .0 BB: Y TL: E  
LB: 6345 Long & Foster Real Estate PH: 410-744-8181 MLS#: (BC) 9869  
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**PROTESTANTS**  
**EXHIBIT NO. 2**

96-57

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